

Registration No 35935-41



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Mr. George Meindl
Nufarm Ltd.
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527

AUG - 7 2012

Subject: Conditional Data: Storage Stability and Corrosion Characteristics
Product Name: Dithiopyr Technical
EPA Reg. No: 35935-41

Dear Mr. Meindl:

The storage stability and corrosion characteristics data for the product referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, Rodenticide Act (FIFRA), are acceptable. These conditional data requirements for registration are now fulfilled.

Guideline #	Study Type	MRID #	Study Classification
830.6317	Storage Stability	47907901	Acceptable
830.6320	Corrosion Characteristics		

If you have questions or concerns regarding this letter, please contact Beth Benbow at (703) 347-8072 or email at benbow.bethany@epa.gov.

Sincerely,

MICHAEL WATSON

for
Kathryn V. Montague
Product Manager 23
Herbicide Branch
Registration Division (7505P)

Administrative Materials



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

 United States Environmental Protection Agency Washington, DC 20460		<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
Application for Pesticide - Section I			
1. Company/Product Number 35935-41		2. EPA Product Manager Joanne Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dithiopyr Technical		PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Ltd. 150 Harvester Drive Suite 200 Burr Ridge, IL 60527 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	
Section - II			
<input type="checkbox"/> Amendment - Explain below.		<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	
<input type="checkbox"/> Resubmission in response to Agency letter dated _____		<input type="checkbox"/> "Me Too" Application.	
<input type="checkbox"/> Notification - Explain below.		<input checked="" type="checkbox"/> Other - Explain below.	
Explanation: Use additional page(s) if necessary. (For section I and Section II.) Submission of storage stability (830.6317) and corrosion characteristics (830.6320) data as requested in Agency letter dated 10/22/2007			
Section - III			
1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container	5. Location of Label Directions <input type="checkbox"/>
6. Manner in Which Label is Affixed to Product		<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____	
Section - IV			
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name George Meindl george.meindl@us.nufarm.com		Title Regulatory Affairs Manager	Telephone No. (Include Area Code) 630.455.2017
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			6. Date Application Received (Stamped)
2. Signature 		3. Title Regulatory Affairs Manager	
4. Typed Name George Meindl		5. Date 11/6/2009	

Memorandum

Date: 11 / 16 / 09

To: PM 23, Regulatory Manager

From: Information Services Branch, ITRMD

Your receipt of this data submission is not an indication that MRIDs for the enclosed studies have been posted to OPPIN.

We expect that it will be approximately 5 days from the above date before the study-level data is available in OPPIN.

If you have any questions about this process, please contact Teresa Downs (305-5363).

This is a: ☒ fully accepted submission
☐ partially accepted submission
☐ rejected submission



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

November 13, 2009

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

NUFARM LIMITED
NUFARM LIMITED
PO Box 13439
RTP, NC 27709-

Report of Analysis for Compliance with PR Notice 86-5

Thank you for your submittal of 09-NOV-09. Our staff has completed a preliminary analysis of the material. The results are provided as follows:

Your submittal was found to be in full compliance with the standards for submission of data contained in PR Notice 86-5. A copy of your bibliography is enclosed, annotated with Master Record ID's (MRIDs) assigned to each document submitted. Please use these numbers in all future references to these documents. Thank you for your cooperation. If you have any questions concerning this data submission, please raise them with the cognizant Product Manager, to whom the data have been released.

Receipt for Section 3

S: 862147 Resubmission: ☒ Yes ☐ No

Regulatory Type: Product Registration - Section 3 Fee For Service: ☐ Yes ☒ No

Application Type: Amendment Billable: ☐ Yes ☒ No

Company: 35935 NUFARM LIMITED V

Risk Manager: Registration Division, Risk Management Team 23

Product #: 35935-41 Product Name: DITHIOPYR TECHNICAL

Override#:

Me Too Section3: Me Too Product Name:

Application Date: 06-Nov-2009 ie OPP Rec'd Date: 09-Nov-2009 ie

Front End Date: 10-Nov-2009 ie Risk Manager Send Date: 10-Nov-2009 ie

FFS Due Date: Negotiated Due Date:

OPP Target Date:

Fast Track: ☐ New Ingredient: ☐

Receipt Description:

storage stability & corrosion characteristics per Agency letter of 10/22/07

Form A: ☐ Signature Date: Form B: ☐ Signature Date:

New Ingredient Request Date: New Ingredient Received Date:

Print Letter

Enter More Information

Tracking

Receipt Content Study Des

View/Edit



479079-00

Nufarm Ltd.
George Meindl
Regulatory Affairs Manager
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527
Phone: 630.455.2017 Fax: 630.455.2030
george.meindl@us.nufarm.com

November 6, 2009

Via Overnight Courier

Joanne Miller (PM-23)
Document Processing Desk
Office of Pesticide Programs (7505P)
U. S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Subject: Dithiopyr Technical
EPA Reg. No. 35935-41
Submission of storage stability and corrosion characteristics per
Agency letter dated October 22, 2007

Dear Ms. Miller:

Enclosed please find three (3) copies of the storage stability, including corrosion characteristics for the subject product registration as requested in the EPA letter dated October 22, 2007.

To process this request please find enclosed the following:

- Application for Pesticide Registration (EPA form 8570-1)
- 47907901 • Storage stability (OPPTS Guideline Series 830.6317) and Corrosion characteristics (OPPTS Guideline Series 830.6320) for the subject product (3 copies)

If you should have any questions regarding this matter, please feel free to contact me at 630.455.2017 or email at george.meindl@us.nufarm.com.

Sincerely,


George Meindl
Regulatory Affairs Manager
Nufarm Ltd.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

OFFICE OF PESTICIDE PROGRAMS
REGISTRATION DIVISION (7505P)

DATE OUT: April 16, 2012

SUBJECT: Storage Stability and Corrosion Study - Product Chemistry Review

FROM: Linda Mascall / Akiva Abramovitch
Product Chemistry Team
Technical Review Branch / Registration Division (7505P)

Handwritten signature and date: 4/16/12

TO: Bethany Benbow / Kathryn Montague
Maggie Rudick / Kable Davis
Kable Davis
Bonaventure Akinlosotu / Richard Gebken
Michael Walsh / Kathryn Montague
Registration Division (7505P)

Company Name / Number: NUFARM LIMITED / 35935

INTRODUCTION:

In support of previous applications, the company / applicant has submitted the one year Storage Stability and Corrosion Characteristics studies for the following products:

PM	Reg. No.	DP Barcode	Decision No.	MRID No.	PC Code
25	35935-37	395708	423646	479092-01	128821
23	35935-41	371837	423762	479079-01	128994
25	35935-43	389393	448471	484648-01	128845
13	35935-48	369792	419175	478302-01	128897
23	35935-53	380030	436920	481318-01	128968

SUMMARY OF FINDINGS:

The Technical Review Branch has performed a fast track review of the associated products and concludes all of the studies are "acceptable". No products exhibited degradation of the active ingredient(s) in the products or corrosion of the packing material were observed during the period of testing.



479078-00

Nufarm Ltd.
George Meindl
Regulatory Affairs Manager
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527
Phone: 630.455.2017 Fax: 630.455.2030
george.meindl@us.nufarm.com

November 6, 2009

Via Overnight Courier

Joanne Miller (PM-23)
Document Processing Desk
Office of Pesticide Programs (7505P)
U. S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Subject: Dithiopyr Technical
EPA Reg. No. 35935-41
Submission of storage stability and corrosion characteristics per
Agency letter dated October 22, 2007

Dear Ms. Miller:

Enclosed please find three (3) copies of the storage stability, including corrosion characteristics for the subject product registration as requested in the EPA letter dated October 22, 2007.

To process this request please find enclosed the following:

- Application for Pesticide Registration (EPA form 8570-1)
- 47907901 • Storage stability (OPPTS Guideline Series 830.6317) and Corrosion characteristics (OPPTS Guideline Series 830.6320) for the subject product (3 copies)

If you should have any questions regarding this matter, please feel free to contact me at 630.455.2017 or email at george.meindl@us.nufarm.com.

Sincerely,



George Meindl
Regulatory Affairs Manager
Nufarm Ltd.



Nufarm Ltd.
George Meindl
Registration Manager
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527
Phone: 630.455.2017 Fax: 630.455.2030
george.meindl@us.nufarm.com

October 24, 2007

Via Overnight Courier

Kathryn Montague (Acting PM-23)
Document Processing Desk (FIN LABEL)
Office of Pesticide Programs (7505P)
U. S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Subject: Dithiopyr Technical
EPA Reg. No. 35935-41
Final Printed label

Dear Ms. Montague:

Enclosed are the subject product's final print labeling. We made all the changes identified in the comment letter dated 10/22/2007. In addition to those changes we realized during our internal review of the EPA stamped label that within the Storage and Disposal box in the Pesticide Disposal section it says "Wastes resulting from use of this product at an approved waste disposal facility". This obviously is an incomplete sentence and makes no sense. Therefore we have replaced that with the following: "Pesticide wastes are toxic. If these wastes cannot be disposed of by use according to label instructions, they must be disposed of according to Federal, state and local procedures. Contact your State Pesticide or Environmental Control Agency or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance". This is standard pesticide disposal language and appears on other Dithiopyr technical labels.

To process this request please find enclosed the following:

- Application for Pesticide Registration (EPA form 8570-1)
- Final print labeling (1 copy)

If you should have any questions regarding this matter, please feel free to contact me at 630.455.2017 or email at george.meindl@us.nufarm.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'George Meindl', is written over the typed name.

George Meindl
Registration Manager
Nufarm Ltd.



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☐ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 35935-41	2. EPA Product Manager Kathryn Montague	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dithiopyr Technical	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Ltd. PO Box 13439 RTP, NC 27709 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input checked="" type="checkbox"/> Final printed labels in response to Agency letter dated <u>10/22/2007</u>
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

see cover letter for details

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name George Meindl george.meindl@us.nufarm.com		Title Registration Manager	
		Telephone No. (Include Area Code) 630.455.2017	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			6. Data Application Received (Stamped)
2. Signature 		3. Title Registration Manager	
4. Typed Name George Meindl		5. Date 10/24/2007	

DITHIOPYR TECHNICAL

ACTIVE INGREDIENT:

Dithiopyr: S,S'-dimethyl 2-(difluoromethyl)-4-(2-methylpropyl)-6-(trifluoromethyl)-3,5-pyridinedicarbothioate*	96.5%
OTHER INGREDIENTS:	3.5%
TOTAL:	100.0%

* CAS No. 97786-45-8

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300
For Medical Emergencies Only, Call (877) 325-1840

EPA REG. NO. 35935-41
EPA EST. NO.

MANUFACTURED FOR
NUFARM LIMITED
P.O. BOX 13439
RTP, NC 27709

**NET CONTENTS**

035935-41000.20071023.FIN

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS
CAUTION**

FIRST AID	
IF SWALLOWED	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
IF INHALED	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for treatment advice.
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.	

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Only for formulation into a herbicide for the following uses:

- 1) Lawns, sod farms, noncrop areas, industrial sites, ornamental turf, landscape ornamentals and field grown nursery ornamentals;
- 2) Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration;
- 3) Uses for experimental purposes that are in compliance with USEPA requirements.

Each formulator is responsible for obtaining EPA registration for their end-use product(s). Do not expose product to metals or metal ions (with the exception of stainless steel) during formulation of end-use products.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

PESTICIDE STORAGE: Do not mix or store this product in unlined steel containers.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. If these wastes cannot be disposed of by use according to label instructions, they must be disposed of according to Federal, state and local procedures. Contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. Triple rinse (or equivalent) the steel drum. Then, offer for recycling or reconditioning, or puncture and dispose in a sanitary landfill, or by other procedures approved by state and local authorities.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR

ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR RISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV102207)

MATERIAL TO BE ADDED TO JACKET

REG #

35935-41

Description:

New product Registration

check all that apply	
<input checked="" type="checkbox"/>	new stamped accepted label
<input checked="" type="checkbox"/>	new CSF
<input type="checkbox"/>	notification

Send to CSC

Instructions:

Attach this sheet to the top of **ALL** material sent to the file room (both loose paper and new material in jackets). This sheet will be imaged; a clear description will aid in finding material in the e-jacket. Remove staples from all material. If returning loose paper then hold together with a binder or paper clip. CSFs should be placed in the CSF folder (if returning jacket) or covered with a red CBI sheet (if returning loose paper). Material to be returned to file room should be place in the appropriate bin.

Reviewer's
Name:

Kathryn Montague

Date:


10/22/07

Phone:

305-1243

Division:

RD/HB

	U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505P) Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, D.C. 20460	EPA Reg. Number: 35935-41	Date of Issuance: October 22, 2007
NOTICE OF PESTICIDE: <input checked="" type="checkbox"/> Registration <input type="checkbox"/> Reregistration (under FIFRA, as amended)		Date of Expiration: October 22, 2008 Term of Issuance: Conditional Name of Pesticide Product: Dithiopyr Technical	
Name and Address of Registrant (include ZIP Code): Mr. George Meindl NUFARM, Ltd. P.O. Box 13439 RTP, NC 27709			
Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.			
On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.			
This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A), provided that you make the following revisions:			
<ol style="list-style-type: none"> 1. Submit and/or cite all data required for the registration of this product when the Agency requires all registrants of similar product to submit data. 2. Add the statement, "EPA Reg. No..35935-41" 3. Within 1 year from the date of this Notice of Registration: 			
<u>EPA Guideline Number:</u> 830.6317 830.6320		<u>Study Description:</u> Storage Stability Corrosion Characteristics	
Comments continued on page 2 of this Notice of Registration			
Signature of Approving Official: Kathryn V. Montague Acting Product Manager 23 Herbicide Branch Registration Division (7505P)		Date: OCT 22 2007	

4. The database supporting the registration of this product is currently being re-evaluated. Depending upon the results of this re-evaluation, additional data requirements may be imposed upon this registration. If required, failure to submit acceptable data to fulfill these requirements may result in registration cancellation in accordance with FIFRA section 6(e) or in registration expiration as described in paragraph 5, below.
5. This registration will expire, without hearing rights, on October 22, 2008, unless the Agency receives an amendment to remove the time limitation. Upon receipt of the amendment, the Agency will review all available information and determine whether or not the registration continues to meet the standard for registration. If the Agency determines that the registration does continue to meet the standard for registration, the registrant will be notified and the registration may be amended to remove the expiration. If the Agency determines that the registration no longer meets the standard for registration, the registrant will be notified, and the Agency may initiate a Notice of Intent to Cancel or allow the registration to expire. If additional time is needed beyond the original expiration date to make this determination, the registration may be amended to extend the expiration date to allow adequate time to complete the review of all available information.
6. Submit one copy of the final printed label before the product is released for shipment.

A stamped copy of the label is enclosed for your records.

DITHIOPYR TECHNICAL

ACTIVE INGREDIENT:

Dithiopyr: S,S'-dimethyl 2-(difluoromethyl)-4-(2-methylpropyl)-6-(trifluoromethyl)-3,5-pyridinedicarbothioate* 96.5%

OTHER INGREDIENTS: 3.5%

TOTAL: 100.0%

* CAS No. 97786-45-8

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
If swallowed:	<ul style="list-style-type: none">• Call a poison control center or doctor immediately for treatment advice.• Have person sip a glass of water if able to swallow.• Do not induce vomiting unless told to do so by the poison control center or doctor.• Do not give anything by mouth to an unconscious person.
If inhaled:	<ul style="list-style-type: none">• Move person to fresh air.• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.• Call a poison control center or doctor for further treatment advice.
If on skin or clothing:	<ul style="list-style-type: none">• Take off contaminated clothing.• Rinse skin immediately with plenty of water for 15-20 minutes.• Call a poison control center or doctor for treatment advice.
If in eyes:	<ul style="list-style-type: none">• Hold eye open and rinse slowly and gently with water for 15-20 minutes.• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.• Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

EPA Reg. No. 35935-UR

Manufactured for:

Nufarm Limited
PO Box 13439
RTP, NC 27709

ACCEPTED
with COMMENTS
In EPA Letter Dated:

OCT 22 2007
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

Net Weight:

35935-41

EPA Est. No.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Only for formulation into a herbicide for the following uses:

- 1) Lawns, sod farms, noncrop areas, industrial sites, ornamental turf, landscape ornamentals and field grown nursery ornamentals;
- 2) Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration;
- 3) Uses for experimental purposes that are in compliance with USEPA requirements.

Each formulator is responsible for obtaining EPA registration for their end-use product(s). Do not expose product to metals or metal ions (with the exception of stainless steel) during formulation of end-use products.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: Do not mix or store this product in unlined steel containers.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product at an approved waste disposal facility.

CONTAINER DISPOSAL: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. Triple rinse (or equivalent) the steel drum. Then, offer for recycling or reconditioning, or puncture and dispose in a sanitary landfill, or by other procedures approved by state and local authorities.

WARRANTY DISCLAIMER

The directions for use of this product should be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS

CUSTOMERS. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

NOTE TO FILE
October 22, 2007

RD/TRB has conducted a cursory review of the Reverse Mutation Assay using Bacteria (Ames assay) with Dithopyr technical (MRID#472244-01). The cursory review indicates that the study is generally acceptable, and the assay was negative for mutagenic effects.

Kathryn Montague
Acting PM 23
RD/HB



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

United States Environmental Protection Agency Washington, DC 20460		<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
Application for Pesticide - Section I			
1. Company/Product Number 35935-UR		2. EPA Product Manager Joanne Miller	
4. Company/Product (Name) Dithiopyr Technical		3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Limited PO Box 13439 RTP, NC 27709 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	
Section - II			
<input type="checkbox"/> Amendment - Explain below.		<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	
<input type="checkbox"/> Resubmission in response to Agency letter dated _____		<input type="checkbox"/> "Me Too" Application.	
<input type="checkbox"/> Notification - Explain below.		<input checked="" type="checkbox"/> Other - Explain below.	
Explanation: Use additional page(s) if necessary. (For section I and Section II.) Changes made per Eugene Wilson's fax dated July 11, 2007, see cover letter for details This is a non-PRIA action.			
Section - III			
1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt No. per container	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 55+ gal containers	
5. Location of Label Directions <input type="checkbox"/>		6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____	
Section - IV			
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name George Meindl (george.meindl@us.nufarm.com)		Title Registration Manager	
Telephone No. (Include Area Code) 630.455.2017		6. Date Application Received (Stamp)	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			
2. Signature 		3. Title Registration Manager	
4. Typed Name George Meindl		5. Date 7/12/2007	



Nufarm Limited
George Meindl
Registration Manager
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527
Phone: 630.455.2017 Fax: 630.455.2030
george.meindl@us.nufarm.com

July 12, 2007

Via Overnight Courier

Eugene Wilson/Joanne Miller (PM-23)
Document Processing Desk (CORR)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Subject: Dithiopyr Technical
EPA Reg. No. 35935-UR
New Product Registration
Transfer from 81959-GN
Non-PRIA action

Dear Mr. Wilson:

In response to your fax to my attention dated July 11, 2007 please find the following documentation to complete this registration request:

- Application for Pesticide – EPA form 8570-1
- Confidential Statement of Formula – EPA form 8570-4 three (3) copies
- Revised labelling – five (5) copies
- Confirmation of acceptance from Don Stubbs on our Warranty Disclaimer and Limitation of Liability statements

As requested, we have made the changes to the CSF and labelling mentioned on your fax except for the following: We have not made your suggested changes to the Warranty disclaimer and Limitation of liability, Nufarm has written confirmation from Don Stubbs, Associate Director Registration Division of Office of Pesticide Programs that our Warranty Disclaimer and Limitation of Liability are acceptable.

If you should need any more information from Nufarm or have any other questions regarding this matter, please contact me at 630.455.2017 or email at george.meindl@us.nufarm.com,

Thank you,

A handwritten signature in dark ink, appearing to read 'George Meindl', is written over a faint, larger version of the same signature.

George Meindl
Registration Manager
Nufarm Limited



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
1200 Pennsylvania Avenue, N.W.
WASHINGTON, D.C. 20460

Paperwork Reduction Act Notice: The public reporting burden for this collection of information is estimated to average 1.25 hours per response for registration and 0.25 hours per response for reregistration and special review activities, including time for reading the instructions and completing the necessary forms. Send comments regarding burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to: Director, Collection Strategies Division (2822T), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460. Do not send the completed form to this address.

Certification with Respect to Citation of Data

Applicant's/Registrant's Name, Address, and Telephone Number
 Nufarm Limited PO Box 13439 RTP, NC 27709 630.455.2017

EPA Registration Number/File Symbol
 35935-~~UR~~ 41

Active Ingredient(s) and/or representative test compound(s)
 dithiopyr

Date
 6/29/2007

General Use Pattern(s) (list all those claimed for this product using 40 CFR Part 158)

Product Name
 Dithiopyr Technical

NOTE: If your product is a 100% repackaging of another purchased EPA-registered product labeled for all the same uses on your label, you do not need to submit this form. You must submit the Formulator's Exemption Statement (EPA Form 8570-27).

☐ I am responding to a Data-Call-In Notice, and have included with this form a list of companies sent offers of compensation (the Data Matrix form should be used for this purpose).

SECTION I: METHOD OF DATA SUPPORT (Check one method only)

☒ I am using the cite-all method of support, and have included with this form a list of companies sent offers of compensation (the Data Matrix form should be used for this purpose).

☐ I am using the selective method of support (or cite-all option under the selective method), and have included with this form a completed list of data requirements (the Data Matrix form must be used).

SECTION II: GENERAL OFFER TO PAY

[Required if using the cite-all method or when using the cite-all option under the selective method to satisfy one or more data requirements]

☒ I hereby offer and agree to pay compensation, to other persons, with regard to the approval of this application, to the extent required by FIFRA.

SECTION III: CERTIFICATION

I certify that this application for registration, this form for reregistration, or this Data-Call-In response is supported by all data submitted or cited in the application for registration, the form for reregistration, or the Data-Call-In response. In addition, if the cite-all option or cite-all option under the selective method is indicated in Section I, this application is supported by all data in the Agency's files that (1) concern the properties or effects of this product or an identical or substantially similar product, or one or more of the ingredients in this product; and (2) is a type of data that would be required to be submitted under the data requirements in effect on the date of approval of this application if the application sought the initial registration of a product of identical or similar composition and uses.

I certify that for each exclusive use study cited in support of this registration or reregistration, that I am the original data submitter or that I have obtained the written permission of the original data submitter to cite that study.

I certify that for each study cited in support of this registration or reregistration that is not an exclusive use study, either: (a) I am the original data submitter; (b) I have obtained the permission of the original data submitter to use the study in support of this application; (c) all periods of eligibility for compensation have expired for the study; (d) the study is in the public literature; or (e) I have notified in writing the company that submitted the study and have offered (i) to pay compensation to the extent required by sections 3(c)(1)(F) and/or 3(c)(2)(B) of FIFRA; and (ii) to commence negotiations to determine the amount and terms of compensation, if any, to be paid for the use of the study.

I certify that in all instances where an offer of compensation is required, copies of all offers to pay compensation and evidence of their delivery in accordance with sections 3(c)(1)(F) and/or 3(c)(2)(B) of FIFRA are available and will be submitted to the Agency upon request. Should I fail to produce such evidence to the Agency upon request, I understand that the Agency may initiate action to deny, cancel or suspend the registration of my product in conformity with FIFRA.

I certify that the statements I have made on this form and all attachments to it are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Signature

Date

6/29/2007

Typed or Printed Name and Title

George Meindl Registration Manager

CHEMICAL CHEMICAL NAME
128994 Dithiopyr

COMPANY# 000264 BAYER CROPSCIENCE LP
* DATA TYPES * 2 T.W. ALEXANDER DRIVE
EU AT EC FW EF OT RESEARCH TRIANGLE PARK, NC 27709
XX XX XX

COMPANY# 000961 LEBANON SEABOARD CORPORATION
* DATA TYPES * 1600 EAST CUMBERLAND STREET
EU AT EC FW EF OT LEBANON, PA 17042
XX

COMPANY# 002217 PBI/GORDON CORP
* DATA TYPES * PO BOX 014090
EU AT EC FW EF OT KANSAS CITY, MO 64101
XX XX

COMPANY# 007138 SOUTHERN STATES COOPERATIVE, INC.
* DATA TYPES * 6606 WEST BROAD STREET
EU AT EC FW EF OT RICHMOND, VA 23230
XX

COMPANY# 008378 TOTAL TURF CONSULTING LLC
* DATA TYPES * Agent for: KNOX FERTILIZER CO INC
EU AT EC FW EF OT 300 W. FIFTH ST., #411
XX CHARLOTTE, NC 28202

COMPANY# 008660 UNITED INDUSTRIES CORP.
* DATA TYPES * D/B/A SYLORR PLANT CORP.
EU AT EC FW EF OT PO BOX 142642
XX ST. LOUIS, MO 63114

COMPANY# 009198 THE ANDERSONS LAWN FERTILIZER DIVISION, INC.
* DATA TYPES * DBA/ FREE FLOW FERTILIZER
EU AT EC FW EF OT PO BOX 119
XX MAUMEE, OH 43537

COMPANY# 009688 CHEMSICO
* DATA TYPES * DIV OF UNITED INDUSTRIES CORP
EU AT EC FW EF OT PO BOX 142642
XX ST LOUIS, MO 63114

COMPANY# 009779 AGRILIANCE, LLC
* DATA TYPES * PO BOX 64089
EU AT EC FW EF OT ST PAUL, MN 55164
XX

COMPANY# 010404 LESCO INC
* DATA TYPES * 1301 EAST 9TH STREET, SUITE 1300
EU AT EC FW EF OT CLEVELAND, OH 44114
XX

COMPANY# 034704 LOVELAND PRODUCTS, INC.
* DATA TYPES * PO BOX 1286
EU AT EC FW EF OT GREELEY, CO 80632
XX

COMPANY# 053883 CONTROL SOLUTIONS, INC.
* DATA TYPES * 5903 GENOA-RED BLUFF
EU AT EC FW EF OT PASADENA, TX 77507
XX

COMPANY# 062719 DOW AGROSCIENCES LLC
* DATA TYPES * 9330 ZIONSVILLE RD 308/2E
EU AT EC FW EF OT INDIANAPOLIS, IN 46268
XX XX

COMPANY# 066607 SPRAY DRIFT TASK FORCE
* DATA TYPES * 1900 K STREET, NW
EU AT EC FW EF OT WASHINGTON, DC 20006
XX

COMPANY# 071754	OUTDOOR RESIDENTIAL EXPOSURE TASK FORCE, L.L.C.
* DATA TYPES *	1350 I STREET, N.W.
EU AT EC FW EF OT	WASHINGTON, DC 20005
XX	
COMPANY# 072167	NATIONS AG II, LLC
* DATA TYPES *	4515 FALLS OF NEUSE ROAD, SUITE 300
EU AT EC FW EF OT	RALEIGH, NC 27609
XX	
COMPANY# 073220	FARMSAVER.COM, LLC
* DATA TYPES *	4515 FALLS OF NEUSE ROAD, SUITE 300
EU AT EC FW EF OT	RALEIGH, NC 27609
XX	
COMPANY# 073989	FIFRA ENDANGERED SPECIES TASK FORCE, L.L.C.
* DATA TYPES *	1350 I STREET, NW
EU AT EC FW EF OT	WASHINGTON, DC 20005
XX	
COMPANY# 074888	RESIDENTIAL EXPOSURE JOINT VENTURE (REJV)
* DATA TYPES *	900 17TH STREET, NW, SUITE 300
EU AT EC FW EF OT	WASHINGTON, DC 20006
XX	
COMPANY# 079676	GRO-PRO, LLC
* DATA TYPES *	D/B/A ETIGRA
EU AT EC FW EF OT	501 CASCADE POINTE LANE, SUITE 103
XX	CARY, NC 27513
COMPANY# 081959	PYXIS REGULATORY CONSULTING, INC.
* DATA TYPES *	Agent for: ETIGRA LLC
EU AT EC FW EF OT	4110 136TH ST, NW
XX	GIG HARBOR, WA 98332



Stubbs.Donald@epa.gov

06/04/2007 08:23 AM

To Jeannie.Smith@us.nufarm.com

cc

Subject Re: Warranty statement

Jeannie

I thought I had got back to you on the warranty statement but apparently I have not. The attached warranty statement is acceptable. I will forward to RD staff and the Director's for BPPD and AD. Sorry for the delay.

(See attached file: Don Stubbs Correspondence May 2007.pdf)

Donald R. Stubbs
Associate Director
Registration Division (7505P)
Office of Pesticide Programs

Visit: <http://www.epa.gov/pesticides>



Don Stubbs Correspondence May 2007.pdf



Nufarm Americas Inc.
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527 USA
Phone: 630 455-2000
Fax: 630 455-2001
www.us.nufarm.com

May 2, 2007

Via Overnight Courier
Fax 703-305-6920
& Email

Don Stubbs
Registration Division 7505P
Office of Pesticide Programs
US Environmental Protection Agency
One Potomac Yard
2777 Crystal Drive
Arlington, VA 22202

Subject: Warranty Disclaimer & Limitation of Liability
All Nufarm Americas Inc. Companies

Thanks for your comments regarding our March 9 proposed warranty and disclaimer statement. I have incorporated your comments from April below.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

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If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

We request your approval and correspondence to us that authorizes our use of this statement on all product labels for all Nufarm companies as listed below. Please also confirm that this warranty disclaimer statement will be acceptable across all branches within the Office of Pesticide Programs (Registration Division, Biopesticides Division, Antimicrobials, etc.).

EPA Company Name	EPA Company No.
Nufarm Americas Inc	228
Nufarm Inc	71368
Nufarm Americas Inc AGT Division	55146
Nufarm UK Limited	11685
Nufarm SA	33688
Nufarm Limited	35935
Marman USA	48273
Nufarm USA	61272
Nufarm Platte Pty. Ltd.	67591
Nufarm Americas Inc, SJM Division	70596
Nufarm Agriculture Incorporated	71478
Frost Technologies	64004
SRFA	81315

Should you have any questions or concerns regarding the enclosed, please let me know.

Regards,



Jeannie K. Smith
Vice President, Registrations & Regulatory Affairs

630 455-2018 phone - direct
jeannie.smith@us.nufarm.com



Linda
Arrington/DC/USEPA/US
07/10/2007 06:24 PM

To George.Meindl@us.nufarm.com
cc Eugene Wilson/DC/USEPA/US@EPA, Joanne
Miller/DC/USEPA/US@EPA, Dan
Kenny/DC/USEPA/US@EPA
bcc

Subject Re: Fw: Etigra Dithiopyr Transfer (to Nufarm) 81959-GN to
35935-UR

Thanks George for the information. I am certainly not trying to change the time that you and Joanne have agreed upon. I was asked to clarify what a not grant means and also to make sure that you knew that your product had a not grant status.

Carry on without me.

Linda Arrington
Registration Division
703 305 6249
703 305 6920 (fax)
George.Meindl@us.nufarm.com



George.Meindl@us.nufarm.co
m
07/10/2007 04:59 PM

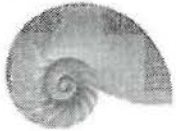
To Linda Arrington/DC/USEPA/US@EPA,
kenny.dan%epamail.epa.gov@nufarm.com, Joanne
Miller/DC/USEPA/US@EPA, Eugene
Wilson/DC/USEPA/US@EPA
cc

Subject Fw: Etigra Dithiopyr Transfer (to Nufarm) 81959-GN to
35935-UR

In response to Linda's email from earlier today, attached is an email string to give a bit of history. As you can see Etigra (through their regulatory consultant) did communicate to Joanne/Eugene of the transfer and our (Nufarm) involvement. Around the same time I had several conversations with Joanne. I understand the pending registration is not under the PRIA clock. However it was our understanding that a regulatory decision would be made in the 30 to 60 day window from when the transfer was complete. I understand the regulatory decision to register this product is close, when can we expect the Agency to get back to us? I also understand that there is a product chemistry review and an acute tox review and those reviews would be faxed to me. I have not received those yet. Is there a reason why these have not been faxed to me yet?

Thank you,

George Meindl
Registration Manager
Nufarm Americas Inc.
150 Harvester Drive Suite 200
Burr Ridge, IL 60527
phone 630.455.2000 (main)
phone 630.455.2017 (direct)



Linda
Arrington/DC/USEPA/US
07/10/2007 03:28 PM

To George.Meindl@us.nufarm.com
cc Eugene Wilson/DC/USEPA/US@EPA, Joanne
Miller/DC/USEPA/US@EPA, Dan
Kenny/DC/USEPA/US@EPA
bcc
Subject Re: your call and 35935-UR

Hi George,

Sorry for the phone tag. I am writing this email because it seems to be confusion on what is expected from the Agency regarding this pending product. We sent to Etigra LLC a "not grant" letter for this pending product prior to the transfer to Nufarm. A not grant means that we have made a PRIA determination about this product and it is not being registered under a particular timeframe. Etigra had the option to either withdraw the action, do nothing and we would withdraw the action May 17th or request a denial from the Agency. We never heard back from Etigra.

From the documentation in the file jacket, it appears that the transfer process started on May 1st and was completed May 30. I'm not sure who should have informed you that this product was to be withdrawn by May 17th as stated in the not grant letter, since there was no response by Etigra.

So now you have the product and we can work on it, but because of the not grant, there is no specific timeframe for the Agency to complete our review of your application as it would have been under PRIA. Therefore the submission that you sent on June 11, 2007 will be fed into the review stream as are the other non-PRIA actions.

I hope this email clarifies so issues and if not please feel free to contact me.

Linda Arrington
Registration Division
703 305 6249
703 305 6920 (fax)
George.Meindl@us.nufarm.com



George.Meindl@us.nufarm.co
m
07/09/2007 07:07 PM

To Linda Arrington/DC/USEPA/US@EPA
cc
Subject your call and 35935-UR

Hi Linda - I left you a couple of messages, replying to your earlier telephone message. 35935-UR was recently transferred to Nufarm, Etigra's EPA file symbol was 81959-GN. The PRIA fee (if that is your question) of \$4200 was paid back in August 2006 under the EPA file symbol of 81959-GN.

Thank you,

George Meindl
Registration Manager
Nufarm Americas Inc.
150 Harvester Drive Suite 200
Burr Ridge, IL 60527



George.Meindl@us.nufarm.com
m
07/10/2007 04:59 PM

To Linda Arrington/DC/USEPA/US@EPA,
kenny.dan%epamail.epa.gov@nufarm.com, Joanne
Miller/DC/USEPA/US@EPA, Eugene

cc

bcc

Subject Fw: Etigra Dithiopyr Transfer (to Nufarm) 81959-GN to
35935-UR

In response to Linda's email from earlier today, attached is an email string to give a bit of history. As you can see Etigra (through their regulatory consultant) did communicate to Joanne/Eugene of the transfer and our (Nufarm) involvement. Around the same time I had several conversations with Joanne. I understand the pending registration is not under the PRIA clock. However it was our understanding that a regulatory decision would be made in the 30 to 60 day window from when the transfer was complete. I understand the regulatory decision to register this product is close, when can we expect the Agency to get back to us? I also understand that there is a product chemistry review and an acute tox review and those reviews would be faxed to me. I have not received those yet. Is there a reason why these have not been faxed to me yet?

Thank you,

George Meindl
Registration Manager
Nufarm Americas Inc.
150 Harvester Drive Suite 200
Burr Ridge, IL 60527
phone 630.455.2000 (main)
phone 630.455.2017 (direct)
fax 630.455.2030 (regulatory dept.)
email george.meindl@us.nufarm.com

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----- Forwarded by George Meindl/US/Nufarm on 07/10/2007 03:41 PM -----

George
Meindl/US/Nufarm

05/16/2007 09:10
AM

Miller.Joanne@epamail.epa.gov

To

cc

Subject
Fw: Etigra Dithiopyr Transfer (to
Nufarm)

Hi Joanne - here is the email confirmation I was speaking to you about yesterday. Apparently on March 1, 2007, the EPA issued a "not grant" letter because Etigra failed to submit a "Certification with Respect to Citation of Data" and within that letter the Agency said Etigra had until May 17, 2007 to resolve the deficiency (i.e. extend offers to pay and submit the certification). I know you said that once the Agency sent the "not grant" letter, the Agency is not under the PRIA umbrella to make a regulatory decision. Does this mean getting out from the PRIA umbrella took place on March 1st when the letter was sent or May 17th?

Regardless and more importantly, as we discussed could you please confirm that once the transfer takes place and we have an EPA file symbol for Dithiopyr tech, all Nufarm has to do is submit to your attention the completely filled out EPA form 8570-34, make our OTP, submit revised labeling (Nufarmized) and revised CSF (Nufarmized). And once we provide this information to you - the Dithiopyr tech registration would be granted to us asap, quite likely in less than 30 days.

A simple response to this email is adequate for me!

Thank you,

George Meindl
Registration Manager
Nufarm Americas Inc.
150 Harvester Drive Suite 200
Burr Ridge, IL 60527
phone 630.455.2000 (main)
phone 630.455.2017 (direct)
fax 630.455.2030 (regulatory dept.)
email george.meindl@us.nufarm.com

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"Janelle Kay"
<Janelle@PyxisRC.
com>

05/10/2007 12:24
PM

To
<Miller.Joanne@epamail.epa.gov>,
<Wilson.Eugene@epamail.epa.gov>
cc
<Jeannie.Smith@us.nufarm.com>
Subject
Etigra Dithiopyr Transfer

Joanne and Eugene,

Attached please find a copy of the transfer paperwork submitted to EPA earlier this week pertaining to Etigra LLC's and Etigra's transfer of dithiopyr products to Nufarm. Eugene, I expect Jeannie (or someone on her staff) will be contacting you shortly in order to resolve the deficiencies identified in EPA's not grant letter relating to EPA Reg. No. 81959-GN (i.e. no certification with respect to citation of data). In the meantime, please let me know if you have any questions or need any additional information.

Regards,
Janelle
Janelle Kay
Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332
P: 253-853-7369
F: 253-853-5516
E: Janelle@PyxisRC.com



(See attached file: dithiopyr transfer.pdf) dithiopyr transfer.pdf

fax 630.455.2030 (regulatory dept.)
email george.meindl@us.nufarm.com

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----- Forwarded by George Meindl/US/Nufarm on 07/10/2007 03:41 PM -----

George
Meindl/US/Nufarm

05/16/2007 09:10
AM

Miller.Joanne@epamail.epa.gov

To

cc

Subject
Fw: Etigra Dithiopyr Transfer (to
Nufarm)

Hi Joanne - here is the email confirmation I was speaking to you about yesterday. Apparently on March 1, 2007, the EPA issued a "not grant" letter because Etigra failed to submit a "Certification with Respect to Citation of Data" and within that letter the Agency said Etigra had until May 17, 2007 to resolve the deficiency (i.e. extend offers to pay and submit the certification). I know you said that once the Agency sent the "not grant" letter, the Agency is not under the PRIA umbrella to make a regulatory decision. Does this mean getting out from the PRIA umbrella took place on March 1st when the letter was sent or May 17th?

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Registration Manager
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150 Harvester Drive Suite 200
Burr Ridge, IL 60527
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"Janelle Kay"
<Janelle@PyxisRC.
com>

05/10/2007 12:24
PM

To
<Miller.Joanne@epamail.epa.gov>,
<Wilson.Eugene@epamail.epa.gov>
cc
<Jeannie.Smith@us.nufarm.com>
Subject
Etigra Dithiopyr Transfer

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Regards,
Janelle
Janelle Kay
Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332
P: 253-853-7369
F: 253-853-5516
E: Janelle@PyxisRC.com



(See attached file: dithiopyr transfer.pdf) dithiopyr transfer.pdf



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460
Potomac Yard (South Building)
2777 S. Crystal Drive,
Arlington, VA

Fax Number (703) 605-0781

OFFICE OF Pesticide Programs, Herbicide Branch

FACSIMILE REQUEST/ COVER SHEET

Send FAX TO:

Name:

Mr. George Meindl

OFF:

Nufarm Limited

FAX Phone Number

630-455-2030

Office Phone Number

630-455-2017

FROM:

Name: EUGENE WILSON

Division/Branch: REGISTRATION DIVISION /HERBICIDE BRANCH

Office Phone Number: 703-305-6103

Office Room Number: S-7326

Mail Code: 7505P

DATE:

June 11, 2007

TIME:

8:00 AM

NUMBER OF PAGES (WITH COVER SHEET):

28

George i Re: Reg. File Symbol 35935-UR

As discussed and as you requested attached are the Product Chemistry Review on Dithiopyr Technical dated 01-30-07 and Memorandum on Similarity, dated Jan 17, 07, under the "No Grant Application" transferred to Nufarm Limited May 30, 2007. Also is stated labeling of Dithiopyr Technical. Please make corrections and Resubmit for review.

Eugene M. Wilson
Eugene M. Wilson
Risk Manager (23)

P.S. Resubmit the CSF with Nufarm Name &c. Correct name - expression, chemistry, of Dithiopyr on this form.

07-03-07.

X Obj see XA

E. Wilson

DITHIOPYR TECHNICAL**ACTIVE INGREDIENT:**

Dithiopyr: S,S'-dimethyl 2-(difluoromethyl)-4-(2-methylpropyl)-6-(trifluoromethyl)-3,5-pyridinedicarbothioate..... 96.5%

OTHER INGREDIENTS:..... 3.5%**TOTAL:**..... 100.0%

X * CAS No. 97786-45-8

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.	

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION**

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA. ✓

EPA Reg. No. 35935-UR

(41)

EPA Est. No.

?X

Manufactured for:

Nufarm Limited
PO Box 13439
RTP, NC 27709

Net Weight:

Not some claim on the product

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Only for formulation into a herbicide for the following uses:

- 1) Lawns, sod farms, noncrop areas, industrial sites, ornamental turf, landscape ornamentals and field grown nursery ornamentals;
- 2) Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration;
- 3) Uses for experimental purposes that are in compliance with USEPA requirements.

Each formulator is responsible for obtaining EPA registration for their end-use product(s). Do not expose product to metals or metal ions (with the exception of stainless steel) during formulation of end-use products.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: Do not mix or store this product in unlined steel containers.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product at an approved waste disposal facility.

CONTAINER DISPOSAL: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. Triple rinse (or equivalent) the steel drum. Then, offer for recycling or reconditioning, or puncture and dispose in a sanitary landfill, or by other procedures approved by state and local authorities.

WARRANTY DISCLAIMER

repeat clause before each disclaimer

The directions for use of this product should be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

LIMITATION OF LIABILITY

again

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS

Again

CUSTOMERS. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT

~~If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.~~ *If you do not accept the*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDE AND
TOXIC SUBSTANCES
Similarity action

MEMORANDUM

17/JAN/2007

MEMORANDUM

Subject: File Symbol/EPA Reg. No.: 81959-GN Dithiopyr Technical
DP Barcode: 332114
Decision No: 369976
PC Code: 128994

From: Masih Hashim, Toxicologist
Technical Review Branch
Registration Division (7505P)

M. Hashim
E. McAndrew

To: Eugene Wilson, RM Team 23
Herbicide Branch
Registration Division (7505P)

Applicant: Etigra, LLC

FORMULATION FROM LABEL:

<u>Active Ingredient(s):</u>	<u>% by wt.</u>
Dithiopyr	96.5
<u>Inert Ingredient(s):</u>	<u>3.5</u>
Total:	100.0

ACTION REQUESTED: Similarity action is requested between the cited product (Reg. No. 62719-425) with the range of (a.i. 90-98%, lower-upper limit) and the proposed (File Symbol 81959-GN) products.

RECOMMENDATIONS: The cited and the proposed products are substantially similar. TRB has no objection to bridging data between them. The Signal Word is CAUTION. The CSF for this product should be approved by Product Chemistry (TRB).

This memorandum pertains only to the decision concerning whether the subject product is substantially similar to the cited product from an acute toxicological view point. For the purposes of this action, TRB has made no determinations of the adequacy of the toxicological data base or the precautionary label of the cited product.

FEE

BARCODE: D332113; **Reg. No. :** 81959-GN **PRODUCT:** Dithiopyr Technical

DATE: January 30, 2007

SUBJECT: FEE. Product Chemistry Review on Dithiopyr Technical

FROM: Shyam B. Mathur, Ph.D
Product Chemistry Team Leader
Technical Review Branch/RD (7505P)

TO: Eugene Wilson / Joanne Miller, RM 23
Herbicide Branch / RD (7505P)

S. Mathur
01-30-07
EW

DP BARCODE: D332113
DECISION No.: 369976
EPA REG. No.: 81959-GN
PRODUCT: Dithiopyr Technical
PCC: 128994
REGISTRANT: Etigra LLC
USE: Herbicide

INTRODUCTION:

The Pyxis Regulatory Consulting, Inc., on behalf of the registrant (Etigra LLC) has submitted the product chemistry data to support the registration of dithiopyr technical produced at [REDACTED]

[REDACTED] The product chemistry data corresponding to 830 series subgroup A and Subgroup B have been submitted under MRID Nos. 469115-01 thru 469115-04. The registrant has also submitted a CSF for basic formulation (08-10-06) and the product label. The registrant has claimed that the proposed dithiopyr TGAI/MUP (File Symbol No. 81959-GN) is substantially similar to the registered product with Reg. No. 62719-425. TRB has been asked to evaluate the product chemistry data submitted for the proposed MUP and determine its similarity to the registered product.

SUMMARY OF FINDINGS:

1. The registrant has submitted a Confidential Statement of Formula for basic formulation (08-10-06) for the dithiopyr TGAI/MUP. The average purity of the technical/MUP is 96.50%, as determined by the five batch analysis. The proposed certified limits for the AI are based on the standard certified limits as set forth in 40CFR§158.175(b)(2), where as the certified limits for the impurities are based on the five batch analysis. The product chemistry data submitted corresponding to guideline reference 830.1550 (product identity & composition) and 830.1750 (certified limits) satisfy the data requirements of 40CFR§158.155 and 158.175 respectively [MRID No. 469115-01].

2. The product chemistry data submitted corresponding to guideline reference 830.1600 (description of material used to produce the product) satisfy the data requirements of 40CFR§ 158.160 [MRID No. 469115-01].

Product ingredient source information may be entitled to confidential treatment

BARCODE: D332113; **Reg. No. :** 81959-GN **PRODUCT:** Dithiopyr Technical

Manufacturing process information may be entitled to confidential treatment

3. The product chemistry data submitted corresponding to guideline reference 830.1620 (description of production process) satisfy the data requirements for 40CFR§158.162. The dithiopyr Technical was manufactured in [REDACTED]

[REDACTED] The details of the production process have been provided which included the amounts of each starting material used in the process, description of the equipment used, the reaction conditions (temperature, pH, etc.) and the yields of the final product and the steps taken to control the quality of the product [MRID No. 469115-01].

4. The product chemistry data submitted corresponding to guideline reference 830.1670 (discussion on the formation of impurities) satisfy the data requirements for 40CFR§158.167. During the production of dithiopyr technical ([REDACTED]), the registrant discussed and reported the [REDACTED]

[REDACTED] No impurity of toxicological concern associated with the TGAI/MUP was reported during the synthesis [MRID No. 469115-01].

5. The data submitted corresponding the guideline reference 830.1700 (preliminary analysis) satisfy the data requirements of 40CFR§158.170. The study was conducted under GLP requirements in compliance with 40CFR§160. Five representative batches of the dithiopyr TGAI/MUP produced [REDACTED] were analyzed for percent active ingredient and the impurities by Product Safety Laboratory, NJ. The active ingredient & the impurity contents were determined by HPLC-UV (254 nm) with external standard method. The analytical method was validated for accuracy, linearity, and precision [MRID No. 469115-02].

6. The data submitted corresponding the guideline reference 830.1800 (enforcement analytical method) satisfy the data requirements of 40CFR§158.180. The purity of the AI in the TGAI was determined by HPLC-UV (254 nm) external standard method. According the consultant's e-mail (dated 01-30-07 from Janelle Kay), the method described for the analysis of dithiopyr in preliminary analysis (submitted as non-confidential part with MRID No. 46911502) should be used as enforcement method. The method was validated for precision, accuracy and linearity, LOQ and LOD [MRID No. 469115-02].

7. The data submitted corresponding to guidelines 830 Series Subgroup B (physical-chemical properties) satisfy the data requirements of 40CFR§158.190, except for 830.6313 (metal & metal ions), 830.614 (oxidation/reduction), one year storage stability (830.6317), corrosion characteristics (830.6320) studies [MRID No. 469115-03].

8. The registrant has submitted waiver requests for the guidelines 830.6313 (metal & metal ions), 830.6316 (explosibility), 830.6317 (one year storage stability), 830.6319 (miscibility), 830.6320 (corrosion characteristics), 830.6321 (dielectric breakdown voltage), 830.7100 (viscosity), 830.7220 (boiling point), and 830.7950 (vapors pressure) providing the justifications [MRID No. 469115-04].

9. The registrant has requested (via e-mail dated 01-30-07 of Janelle Kay) waivers for the following guidelines:

- ☐ 830.6313 (stability to metal& metal ions)-stating that the dithiopyr technical does not come in contact during storage or production with any metal. The Etigra is willing to propose a label restriction preventing formulation of end-use products in metal and metal ions containers.
- ☐ 830.6314 (oxidation/reduction)-Dithiopyr technical does not contain any oxidizers and reducing agents.

10. Etigra LLC will conduct one year storage stability (830.6371) and corrosion characteristics (830.6320) Studies and requested a conditional registration be granted on the submission of these data (e-mail dated 01-30-07 of Janelle Kay).

BARCODE: D332113; **Reg. No. :** 81959-GN **PRODUCT:** Dithiopyr Technical

CONCLUSIONS:

The TRB has reviewed the product chemistry data submitted for dithiopyr TGAI / MUP and has concluded that:

1. All the product chemistry data submitted corresponding to 830 Series Subgroup A are acceptable.
2. The CSF for basic formulation (dated 08-10-06) is acceptable.
3. The data submitted corresponding to the 830 Series Subgroup B (physical-chemical properties) are acceptable except for, except for 830.6317 (one year storage stability), and 830.6320 (corrosion characteristics).
4. The registrant must generate studies corresponding to guidelines 830.6317(one year storage stability) and 830.6320 (corrosion characteristics). The observations must be made at 0, 3, 6, 9, & 12 months intervals. The results must be submitted to the Agency along with an electronic format also.
5. Based on the justifications provided, the Agency has no objection in granting waivers corresponding to guidelines: 830.6313 (metal& metal ions), 830.6314 (oxidation/reduction), 830.6316 (explodability), 830.6321 (dielectric breakdown voltage), 830.7100 (viscosity), 830.7220 (boiling point), and 830.7950 (vapors pressure).
6. The proposed dithiopyr TGAI/MUP (File symbol No. 81959-GN) was determined not to be substantially similar to the registered product with Reg. No. 62719-425 (basic formulation, dated 7-16-99) from the product chemistry point of view. The impurity profile for the proposed MUP/TGAI and registered MUP/TGAI is significantly different [REDACTED] While the lack of the impurities is more environmentally favorable it may also affect the toxicity of the product. The nominal concentration of registered dithiopyr TGAI/MUP in the basic formulation (7-16-99) is 91.00%, whereas, the product label claim from the proposed product is 96.5%.

BARCODE: D332113; **Reg. No. :** 81959-GN **PRODUCT:** Dithiopyr Technical

830.1550. Product Identity & Composition: (MRID No. 469115-01)

Common Name: Dithiopyr technical

Chemical name (CAS): S, S'-dimethyl 2-(difluoromethyl)-4-(2-methylpropyl)-6-(trifluoromethyl)-3, 5-pyridinedicarbothioate or S, S'-dimethyl 2-difluoromethyl-4-isobutyl-6-trifluoromethylpyridine-3, 5-dicarbothioate.

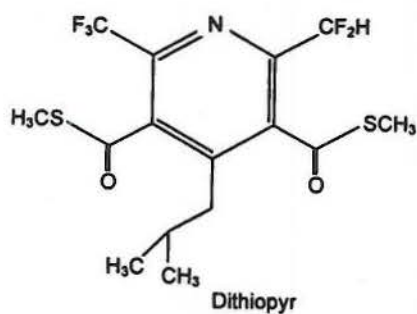
CAS No.: 97786-45-8

PC Code No.: 128994

Empirical formula: $C_{15}H_{16}F_5NO_2S_2$

Molecular Weight: 401.42

Structural formula



BARCODE: D332113; **Reg. No. :** 81959-GN **PRODUCT:** Dithiopyr Technical

Table 1. Manufacturing and Impurity Data for Dithiopyr TGAi/MUP				
GLN	Requirement	MRID	Status	Details and /or Deficiency
830.1550	Product Identity and composition	Basic CSF (08-10-06)	A	The NC of AI (96.50%) is supported by 5 batch analysis & agrees with the label claim NC (98%). [REDACTED]
830.1600	Description of materials used to produce the product	469115-01	A	The description & composition for all the starting materials used to produce the dithiopyr technical/mup have been provided by the registrant
830.1620	Description of production process	469115-01	A	The AI was produced [REDACTED]. The production process has been described in full details. The reaction conditions, amounts of chemicals in each step, duration of time, and the yields in each step have been provided. The QA steps involved in each step have been described.
830.1670	Discussion of formation of impurities	469115-01	A	The registrant has provided the complete mechanisms of formation, quantification and identification of all the impurities present at the levels of $\geq 0.1\%$. [REDACTED]
830.1700	Preliminary analysis	469115-02	A	Five representative batches of the dithiopyr tga/mup were analyzed for percent active ingredient and the impurities. The purity of the AI in the TGAi was determined by HPLC-UV (254 nm) with external standard method. The impurities were identified & quantified also by HPLC-UV (254nm). The five batch analysis supported the CSF for basic formulation.
830.1750	Certified limits	469115-01	A	The proposed certified limits for the AI are based on the standard certified limit table. Whereas proposed certified limits for the impurities are based on five batch analysis results.
830.1800	Enforcement analytical method	469115-02	A	The HPLC-UV (254 nm) method was used for the determination of the AI content in the TGAi/MUP. The method was validated for precision, linearity, accuracy, LOD, & LOQ. Same method used for 830.1700 (non-confidential)
A = Acceptable; N = unacceptable (see Deficiency); N/A = Not Applicable; G = Data gap; I = In progress or need upgrade; U = Up-grade (additional information required)				

BARCODE: D332113; **Reg. No. :** 81959-GN **PRODUCT:** Dithiopyr Technical

830 Series Subgroup B (Physical-Chemical Properties)

Table 2: Physical and Chemical Properties of : Dithiopyr TGAI/MUP

GLN	Requirement	MRID	Status	Result or Deficiency
830.6302	C o l o r	469115-03	A	Off- white
830.6303	Physical state	" " "	A	Powder
830.6304	Odor	" " "	A	Strong pungent odor
830.6313	Stability to normal and elevated temperatures, metals, and metal ions	" " "	A	Waiver requested for metal & metal ions is acceptable (with label warning). Stable for 14 days at 54°C for 14 days.
830.6314	Oxidation/reduction: chemical incompatibility	e-mail 01-30-07	W	Accepted
830.6315	Flammability	469115-04	W	Waiver accepted
830.6316	Explosibility	" " "	W	Waiver request accepted based on the justification provided
830.6317	Storage stability	e-mail (01-30-07)	G	Etigra agreed to conduct study
830.6319	Miscibility	469115-04	W	Waiver accepted
830.6320	Corrosion characteristics	e-mail (01-30-07)	G	Etigra agreed to conduct study
830.7000	pH	469115-03	A	4.91 at 20°C
830.7050	UV/Visible absorption	" " "	A	See Note 1
830.7100	Viscosity	469115-04	W	Accepted
830.7200	Melting point	469115-03	A	61.3°C
830.7220	Boiling point	469115-04	W	Accepted
830.7300	Density	469115-03	A	0.541 ± 0.006 g/ml at 20°C
	Tap Pour		A	0.477 ± 0.003 g/ml
830.7370	Dissociation constants in water (DC)	469115-03	A	No DC is observed for the test substance in between pH of 2 and 10
830.7550	Partition coefficient	469115-03	A	Log P o/w = 4.61 ± 0.07
830.7840	Water solubility:	469115-03	A	Water = $7.234 \times 10^{-4} \pm 0.84 \times 10^{-4}$ g/L; MeOH=190.95 g/L; Octanol=41.84 g/L; Hexane=64.29 g/L
830.7950	Vapor pressure	469115-04	W	Accepted

A = Acceptable; N = unacceptable (see Deficiency); N/A = Not Applicable; G = Data gap; I = In progress or need upgrade; U = Upgrade (additional information required)

BARCODE: D332113; **Reg. No. :** 81959-GN **PRODUCT:** Dithiopyr Technical

830.7950. UV/VIS: (MRID No. 468119-03)

Solution	Neutral	Acidic	Alkaline
Concentration (mol/L)	7.648×10^{-5}	7.648×10^{-5}	7.648×10^{-5}
Wavelength (nm)	240.3*	241.0*	244.2*
Absorbance (at maximum)	0.723	0.799	0.714
ϵ Value calculated	9453.5	10447.2	9335.8
Band width (nm)	47.5	48.2	50.2

* shoulder was observed and shoulder inflection point was measured for ϵ calculations.

830.1800. Enforcement of analytical method: (MRID No. 469115-02)

The dithiopyr active ingredient was determined by HPLC using external standard method. The method validation covered the aspects like: specificity, linear dynamic range (LDR), LOD, LOQ, precision (%RSD).

Equipment & Parameters

HPLC system: Thermo Surveyor
Column: Zorbax Eclipse XDB-C8, 5 μ m, 250 mm x 4.6 mm
Mobile phase: Acetonitrile:0.5% acetic acid in water (65:35)
Sample size: 5 μ L
Flow rate: 1000 μ L/min
Detector wavelength: 254 nm
Retention time: Dithiopyr = 7.4-8.7 minutes



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

United States Environmental Protection Agency Washington, DC 20460		<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
Application for Pesticide - Section I			
1. Company/Product Number 35935-UR		2. EPA Product Manager Joanne Miller	
4. Company/Product (Name) Dithiopyr Technical		3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Limited PO Box 13439 RTP, NC 27709 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	
Section - II			
<input type="checkbox"/> Amendment - Explain below.		<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	
<input type="checkbox"/> Resubmission in response to Agency letter dated _____		<input type="checkbox"/> "Me Too" Application.	
<input type="checkbox"/> Notification - Explain below.		<input checked="" type="checkbox"/> Other - Explain below.	
Explanation: Use additional page(s) if necessary. (For section I and Section II.) Complete the registration process: Transfer Etigra LLC registration EPA file symbol 81959-GN to Nufarm Limited EPA file symbol 35935-UR and grant registration to Nufarm Limited This is a non-PRIA action.			
Section - III			
1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 55+ gal containers	
5. Location of Label Directions <input type="checkbox"/>		6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____	
Section - IV			
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name George Meindl (george.meindl@us.nufarm.com)		Title Registration Manager	
Telephone No. (Include Area Code) 630.455.2017		6. Date Application Received (Stamped)	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			
2. Signature 		3. Title Registration Manager	
4. Typed Name George Meindl		5. Date 6/11/2007	



Nufarm Limited
George Meindl
Registration Manager
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527
Phone: 630.455.2017 Fax: 630.455.2030
george.meindl@us.nufarm.com

June 29, 2007

Via Overnight Courier

Joanne Miller (PM-23)
Document Processing Desk (CORR)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Subject: Dithiopyr Technical
EPA Reg. No. 35935-UR
New Product Registration
Transfer from 81959-GN
Non-PRIA action

Dear Ms. Miller:

The transfer of the subject registration from Etigra LLC to Nufarm Limited has been approved and Nufarm Limited wants to move forward in registering the subject product.

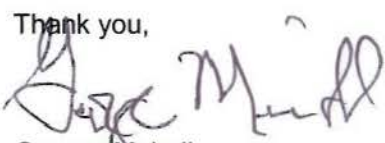
As we have discussed previously, please find the following documentation to complete this registration request:

- Application for Pesticide – EPA form 8570-1
- Confidential Statement of Formula – EPA form 8570-4
- Certification with Respect to Citation of Data – EPA form 8570-34
 - Including a list of companies sent offers of compensation
- Proposed labelling – five (5) copies
- Copy of the EPA document showing the approval of the transfer agreement

Please note that we did not make any changes to the previously submitted Etigra label or CSF except to add the Nufarm Limited company name/address and Nufarm Limited EPA file symbol. We realize this is not a PRIA action, however as you indicated this request can be handled administratively, since all the data has been reviewed and deemed acceptable within the Etigra LLC's submission. Thus we should expect the granting of the registration within 30 days of this submission.

If you should need any more information from Nufarm or have any other questions regarding this matter, please contact me at 630.455.2017 or email at george.meindl@us.nufarm.com,

Thank you,


George Meindl
Registration Manager
Nufarm Limited

Qty - David 8-29-06.

E. Wilson

CAS Name

DITHIOPYR TECHNICAL

ACTIVE INGREDIENT:

Dithiopyr: 3,5-Pyridinedicarbothioic acid, 2-(difluoromethyl)-4-(2-methylpropyl)-6-(trifluoromethyl)-S,S-dimethyl ester.....96.5% X

OTHER INGREDIENTS:3.5%

TOTAL:100.0%

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
If swallowed:	<ul style="list-style-type: none">• Call a poison control center or doctor immediately for treatment advice.• Have person sip a glass of water if able to swallow.• Do not induce vomiting unless told to do so by the poison control center or doctor.• Do not give anything by mouth to an unconscious person.
If inhaled:	<ul style="list-style-type: none">• Move person to fresh air.• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.• Call a poison control center or doctor for further treatment advice.
If on skin or clothing:	<ul style="list-style-type: none">• Take off contaminated clothing.• Rinse skin immediately with plenty of water for 15-20 minutes.• Call a poison control center or doctor for treatment advice.
If in eyes:	<ul style="list-style-type: none">• Hold eye open and rinse slowly and gently with water for 15-20 minutes.• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.• Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

EPA Reg. No. 81959-

EPA Est. No.

Manufactured for:

Etigra, LLC
2214 Hwy 44 West
Inverness, FL 34453

Net Weight:

Note: 8-29-06
Discussed issues
of labeling with
Janelle Kay at 1:20 PM
Today E. Wilson

1 Field grown nursery ornamentals
2 landscape ornamentals

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Only for formulation into a herbicide for the following uses:

- 1) Lawns, sod farms, noncrop areas, industrial sites, ornamental turf, and ornamentals;
- 2) Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration;
- 3) Uses for experimental purposes that are in compliance with USEPA requirements.

Each formulator is responsible for obtaining EPA registration for their end-use product(s).

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: Do not mix or store this product or solutions of this product in unlined steel containers.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. Triple rinse (or equivalent) the steel drum. Then, offer for recycling or reconditioning, or puncture and dispose in a sanitary landfill, or by other procedures approved by state and local authorities.

CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather, presence of other materials or other influencing factors in the use of the product, which are beyond the control of Etigra, LLC or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Etigra, LLC and Seller harmless for any claims relating to such factors.

Etigra, LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or Etigra, LLC, and Buyer and User assume the risk of any such use. ETIGRA, LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

In no event shall Etigra, LLC or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ETIGRA, LLC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF ETIGRA, LLC OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

Etigra, LLC and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of Etigra, LLC.



"Janelle Kay"
<Janelle@PyxisRC.com>
05/10/2007 01:24 PM

To Joanne Miller/DC/USEPA/US@EPA, Eugene
Wilson/DC/USEPA/US@EPA
cc <Jeannie.Smith@us.nufarm.com>
bcc
Subject Etigra Dithiopyr Transfer

Joanne and Eugene,

Attached please find a copy of the transfer paperwork submitted to EPA earlier this week pertaining to Etigra LLC's and Etigra's transfer of dithiopyr products to Nufarm. Eugene, I expect Jeannie (or someone on her staff) will be contacting you shortly in order to resolve the deficiencies identified in EPA's not grant letter relating to EPA Reg. No. 81959-GN (i.e. no certification with respect to citation of data). In the meantime, please let me know if you have any questions or need any additional information.

Regards,
Janelle
Janelle Kay
Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332
P: 253-853-7369
F: 253-853-5516
E: Janelle@PyxisRC.com



dithiopyr transfer.pdf

Qlig see Xs

New Proposal
Lalul
01-30-07

DITHIOPYR TECHNICAL

ACTIVE INGREDIENT:

Dithiopyr: S,S'-dimethyl 2-(difluoromethyl)-4-(2-methylpropyl)-6-(trifluoromethyl)-3,5-

pyridinedicarbothioate 96.5%

OTHER INGREDIENTS: 3.5%

TOTAL: 100.0%

CAS No. 97786-45-8

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
If swallowed:	<ul style="list-style-type: none">• Call a poison control center or doctor immediately for treatment advice.• Have person sip a glass of water if able to swallow.• Do not induce vomiting unless told to do so by the poison control center or doctor.• Do not give anything by mouth to an unconscious person.
If inhaled:	<ul style="list-style-type: none">• Move person to fresh air.• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.• Call a poison control center or doctor for further treatment advice.
If on skin or clothing:	<ul style="list-style-type: none">• Take off contaminated clothing.• Rinse skin immediately with plenty of water for 15-20 minutes.• Call a poison control center or doctor for treatment advice.
If in eyes:	<ul style="list-style-type: none">• Hold eye open and rinse slowly and gently with water for 15-20 minutes.• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.• Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

EPA Reg. No. 81959-GN

EPA Est. No.

Manufactured for:
Etigra, LLC
2214 Hwy 44 West
Inverness, FL 34453

05-14-07
Revised Again - Needs
a Revised CSF.
E. Wilson
Net Weight:

02-22-07
4 PM

I - Left message Re: Data
Compensation for this appl.
- Re Authorization letter
- Certification Statement
- Offer to pay for data owners
J. Wilson

*not the same claimed on
Dows - 62719-425 - Cited.*

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Only for formulation into a herbicide for the following uses:

- 1) Lawns, sod farms, noncrop areas, industrial sites, ornamental turf, landscape ornamentals and field grown nursery ornamentals;
- 2) Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration;
- 3) Uses for experimental purposes that are in compliance with USEPA requirements.

Each formulator is responsible for obtaining EPA registration for their end-use product(s). Do not expose product to metals or metal ions (with the exception of stainless steel) during formulation of end-use products.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: Do not mix or store this product in unlined steel containers.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product at an approved waste disposal facility.

CONTAINER DISPOSAL: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. Triple rinse (or equivalent) the steel drum. Then, offer for recycling or reconditioning, or puncture and dispose in a sanitary landfill, or by other procedures approved by state and local authorities.

CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

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to the extent of applicable law
The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Etigra, LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use when used in accordance with directions for use. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or Etigra, LLC, and Buyer and User assume the risk of any such use. ETIGRA, LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

to the extent of applicable law
In no event shall Etigra, LLC or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ETIGRA, LLC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF ETIGRA, LLC OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

Etigra, LLC and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of Etigra, LLC.

✓ Rev. 09-11-06

J. Wilson

See X

DITHIOPYR TECHNICAL

ACTIVE INGREDIENT:

Dithiopyr: S,S'-dimethyl 2-(difluoromethyl)-4-(2-methylpropyl)-6-(trifluoromethyl)-3,5-pyridinedicarbothioate96.5%

OTHER INGREDIENTS:3.5%

TOTAL:100.0%

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
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EPA Reg. No. 81959-GN

EPA Est. No.

Manufactured for:

Etigra, LLC
2214 Hwy 44 West
Inverness, FL 34453

Net Weight:

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Only for formulation into a herbicide for the following uses:

- 1) Lawns, sod farms, noncrop areas, industrial sites, ornamental turf, landscape ornamentals and field grown nursery ornamentals;
- 2) Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration;
- 3) Uses for experimental purposes that are in compliance with USEPA requirements.

Each formulator is responsible for obtaining EPA registration for their end-use product(s).

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

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PESTICIDE DISPOSAL: Wastes resulting from the use of this product at an approved waste disposal facility.

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CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

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The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Etigra, LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use when used in accordance with directions for use. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or Etigra, LLC, and Buyer and User assume the risk of any such use. ETIGRA, LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

In no event shall Etigra, LLC or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ETIGRA, LLC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF ETIGRA, LLC OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

Etigra, LLC and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of Etigra, LLC.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

May 30, 2007

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

WILLIAM M. MAHLBURG
NUFARM LIMITED, AGENT FOR
NUFARM LIMITED
PO Box 13439
RTP, NC 27709

Dear Mr. Mahlbarg:

Subject: Transfer of Pesticide Registration and Data From Company Number 81959 to
Company Number 35935

Pursuant to your request in your letter and transfer agreement of May 4, 2007 and
additional information received on May 29, 2007, we have approved the transfer of the following
registration and data from **ETIGRA LLC**, company number **81959** to **NUFARM LIMITED**,
company number **35935**.

The effective date of these changes is the date of this letter.

	Old EPA File Symbol	New EPA File Symbol
Pending Registered Products		
Dithiopyr Technical	81959-GN	<u>35935-UR</u>

You should indicate the new company designation, new EPA Registration Number and
new Establishment Number (if it has changed) on the labeling at the next printing which should
occur no later than 18 months after the effective date of this transfer. After 18 months, any
product released for shipment must bear the new Registration Number and Establishment
Number. If you intend to use the labels which currently appear on the transferor's product after
the effective date of the transfer, but within the 18 month grace period, you must maintain
complete and accurate records which identify by batch number, lot number, or other suitable
description the quantities of such product bearing the transferor's label. Each container or
package bearing the transferor's label which is released after the effective date of product
registration transfer, must be clearly and accurately marked with the batch number, lot number or
other descriptive designation used to identify the product in your records.

Supplemental distribution agreements of registered products do not transfer with the
Section 3 registration. It is your responsibility as the registrant to notify any and all supplemental
distributors of the transferred product(s) of this transfer agreement. If you wish to enter into
supplemental distribution agreements of your product(s) under this new registration, the form

"Notice of Supplemental Distribution of a Registered Pesticide Product," EPA Form 8570-5, must be submitted to the Agency for each supplemental distributorship.

You are required to contact your local EPA Regional Office to determine what effect this transfer of pesticide registrations has on the pesticide production establishment registration.

It will not be necessary to submit labeling for review if the only changes are in the company designation and the EPA Registration Number. Other changes in the product and/or labeling may require EPA review and approval prior to initiation. In any correspondence on these products always refer to the U.S. EPA Registration Number listed above.

The transferred registration will have the same status under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, 7 USC 136 et seq., as it had prior to the approval of this transfer.

When registrations are transferred from one company to a second company, all restrictions, data requirements, conditions (suspensions), and deadlines existing on the registrations are transferred with the registrations. The new company is responsible for adhering to or complying with all such restrictions, etc. on the acquired products.

In regard to deadlines, the transferee company is responsible for submitting all required data according to the schedules already established for the acquired products. Failure to do so will result in the issuance of a Notice of Intent to Suspend. Requests from transferee companies for additional time to submit, because they acquired the registration(s) after the 3(c)(2)(B) request was issued will not be granted. If a transferee company has other valid reasons for delays in the testing which were clearly outside of their control, then such requests for time extensions will be considered in accordance with the established procedures. Transfers occurring while a 3(c)(2)(B) request is being issued or during the 90-day response time are subject to the same conditions expressed above.

Registration is in no way to be construed as an endorsement or approval of these products by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with FIFRA.

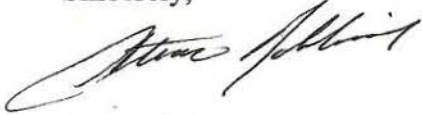
Furthermore, the transfer of the subject registrations is approved under the condition that the annual maintenance fee obligation has been fully satisfied. The marginal maintenance fee is determined based solely on the total number of active section 3 and section 24(c) registrations held by the transferor. If the annual maintenance fee has not been fully satisfied, the transferee and transferor will be notified to comply within a specified time period or the affected registrations may be canceled.

The Agency acknowledges it has received a request for data transfer dated May 4, 2007 to transfer data ownership from the transferor to the transferee. The data transfer is effective the date of this letter. After this date **NUFARM LIMITED** will be considered the data owner. This action will not automatically reflect on the Data Submitters List. If you want to be added to the Data Submitters List, you must submit a request to:

Document Processing Desk (DSL)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

By copy of this letter we are informing the transferor of these changes. If you have any questions about this transfer approval please contact Kathleen O'Malley at (703) 305-5411.

Sincerely,



Steve Robbins, Chief
Information Services Branch
Information Technology & Resource Management Div. (7504P)

cc: JANELLE KAY
PYXIS REGULATORY CONSULTING, INC., AGENT FOR
ETIGRA LLC
4110 136TH ST, NW
GIG HARBOR, WA 98332



"Janelle Kay"
<Janelle@PyxisRC.com>
05/10/2007 01:24 PM

To Joanne Miller/DC/USEPA/US@EPA, Eugene
Wilson/DC/USEPA/US@EPA
cc <Jeannie.Smith@us.nufarm.com>

bcc

Subject Etigra Dithiopyr Transfer

Joanne and Eugene,

Attached please find a copy of the transfer paperwork submitted to EPA earlier this week pertaining to Etigra LLC's and Etigra's transfer of dithiopyr products to Nufarm. Eugene, I expect Jeannie (or someone on her staff) will be contacting you shortly in order to resolve the deficiencies identified in EPA's not grant letter relating to EPA Reg. No. 81959-GN (i.e. no certification with respect to citation of data). In the meantime, please let me know if you have any questions or need any additional information.

Regards,
Janelle
Janelle Kay
Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332
P: 253-853-7369
F: 253-853-5516
E: Janelle@PyxisRC.com



dithiopyr transfer.pdf

05-23-07
No action until we
receive letter with
"Certification with
Regard to Citation of
Data."
Why the Ames study?
being done by Pyxis.
J. Wilson

Etigra to
Nufarm
5-16-07

PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

Phone: 253-853-7369
Fax: 253-853-5516
www.PyxisRC.com

May 4, 2007

COURIER DELIVERY

Document Processing Desk (XFER)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Etigra LLC to Nufarm Limited.
Gro-Pro LLC D/B/A Etigra to Nufarm Americas Inc.

To Whom It May Concern:

As a result of a business agreement, Etigra LLC requests the transfer of the following registration and data to Nufarm Limited:

EPA Reg. No. 81959-GN*

Dithiopyr Technical

In addition, Gro-Pro LLC d/b/a Etigra requests the transfer of the following registrations and data to Nufarm Americas, Inc.:

EPA Reg. No. 79676-39
EPA Reg. No. 79676-40
EPA Reg. No. 79676-41
EPA Reg. No. 79676-42
EPA Reg. No. 79676-43
EPA Reg. No. 79676-44
EPA Reg. No. 79676-45
EPA Reg. No. 79676-46
EPA Reg. No. 79676-47
EPA Reg. No. 79676-48
EPA Reg. No. 79676-49

Dithiopyr E-Pro 40 WSP Herbicide
ETI 108 06 H
ETI 108 02 H
ETI 108 04 H
ETI 108 03 H Turf and Ornamental Herbicide
ETI 108 05 H Turf and Ornamental Herbicide
ETI 108 11 H
ETI 108 08 H
ETI 108 07 H
ETI 108 09 H
ETI 108 10 H

In support of these transfer requests, enclosed please find fully executed transfer agreements. Please don't hesitate to contact me if you have any questions or need any additional information.

Regards,


Janelle Kay
Agent for Etigra

Enclosures

**Agreement for Transfer of
Registration and all Associated Data Rights
from Etigra to Nufarm Americas Inc.**

1. This Transfer Agreement, dated as of April 10, 2007, is by and between:

A. Present Registrant

Etigra LLC (hereinafter referred to as "Transferor").

EPA Company Name: Etigra
EPA Address of Record: c/o Pyxis Regulatory Consulting
4110 136th St, NW
Gig Harbor, WA 98332
Phone: 253 853-7369
Fax: 253 853-5516
EPA Company Number: 81959

B. Proposed New Registrant

Nufarm Americas Inc (hereinafter referred to as "Transferee").

EPA Company Name: Nufarm Limited
EPA Address of Record: PO Box 13439
Research Triangle Park, NC 27709
Phone: 630 455-2000
Fax: 630 455-2030
EPA Company Number: 35935

2. The Transferor is the owner of a certain Federal Insecticide, Fungicide, and Rodenticide Act (hereinafter referred to as "FIFRA") Registration File Symbol listed in Attachment A ("Registration") and all accompanying data submitted to EPA by the Transferor in support of the Registration listed in Attachment B (collectively the "Data"). The Transferor has not previously transferred or purportedly transferred the Registration or any rights in the supporting Data for any such Registration to another. The Transferor has the unqualified legal right to transfer the Registration and all rights in the supporting Data for such Registration to the Transferee upon approval by the Environmental Protection Agency (hereinafter referred to as "EPA").
3. Specifically and without qualification, subject to EPA approval, the Transferor irrevocably transfers to the Transferee all rights, title, and interest in the Registration and all rights in the supporting Data for such Registration that currently are listed in EPA's files, including all rights of exclusive use and data compensation thereof.
4. Both Transferor and Transferee state that the Registration and all rights in the supporting Data for Registration do not serve as collateral or otherwise secure any loan or other payment arrangement or executory promise, and the Registration and all rights in the supporting Data for such Registration shall not revert to the Transferor in any circumstance unless the Transferee submits a new properly executed transfer agreement to EPA which is approved by EPA.
5. The Registration and Data are being transferred as part of a confidential commercial business agreement between Transferor and Transferee.
6. Transferor and Transferee each state that they understand that any false statements in this Transfer Agreement may be punishable under 18 U.S.C. §1001.

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7. Transferor acknowledges Transferee's rights to the Registration and all rights in the supporting Data for such Registration. Transferee acknowledges that its rights and duties concerning the Registration and all rights in the supporting Data for such Registration under FIFRA and the FIFRA regulations will be deemed by EPA to be the same as those of the Transferor at the time the transfer is approved by EPA.
8. The person signing the Transfer Agreement for the Transferor is authorized as its agent to bind the transferor.
- (a) No court order prohibits the transfer, and that any required court approvals have been obtained; and
 - (b) The transfer is authorized under all relevant Federal, State and local laws and all relevant corporate charters, bylaws, partnerships, or other agreements.

Etigra LLC

By:
Name:
Title:

Randall V. Canady
Randall V. Canady
Chief Operating Officer

Nufarm Americas Inc.

By:
Name:
Title:

Jeannie Smith
Jeannie Smith
Vice President, Registrations & Regulatory Affairs

This document has been subscribed and affirmed, or sworn before me in the county of Cook, State of Illinois, this 24 day of April, 2007.

My commission expires October 1, 2007.

Signature of Notary

Janice M. Burke
Janice M. Burke



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**Registration Transfer Agreement
Attachment A**

**List of Registrations to be Transferred
to Nufarm (EPA Company Number 35935)**

EPA File Symbol

81959-GN*

Product Name

Dithiopyr Technical

*EPA Reg. No. 81959-30

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**Registration Transfer Agreement
Attachment B
List of Study Ownership Transferred to
Nufarm (EPA Company Number 35935)**

MRID No.	Citation
46911501	Kay, J. Product Identity and Composition, Description of the Materials Used, Description of the Production Process, Discussion of the Formation of Impurities, and Certified Limits for Dithiopyr Technical.
46911502	Gamble, R. ET-034 Preliminary Analysis
46911503	Wo, C. ET-034 Physical and Chemical Characteristics: Color, Physical State, Odor, Stability to Normal and Elevated Temperature, pH, UV/Visible Absorption, Melting Point, Bulk Density, Dissociation Constant, Partition Coefficient, and Solubility
46911504	Kay, J. Waiver Request for Certain Data Requirements for Dithiopyr Technical.

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**Agreement for Transfer of
Registration and all Associated Data Rights
from Gro-Pro, LLC to Nufarm Americas Inc.**

1. This Transfer Agreement, dated as of April 10, 2007, is by and between:

A. Present Registrant

Gro-Pro, LLC D/B/A Etigra (hereinafter referred to as "Transferor").
EPA Company Name: Gro-Pro D/B/A/ Etigra
EPA Address of Record: 501 Cascade Pointe Lane, Suite 103
Cary, NC 27513
Phone: 919 342-5171
Fax: 919 342-5176
EPA Company Number: 79676

B. Proposed New Registrant

Nufarm Americas Inc (hereinafter referred to as "Transferee").
EPA Company Name: Nufarm Americas Inc.
EPA Address of Record: 150 Harvester Drive, Suite 200
Burr Ridge, IL 60527
Phone: 630 455-2000
Fax: 630 455-2030
EPA Company Number: 228

2. The Transferor is the owner of a certain Federal Insecticide, Fungicide, and Rodenticide Act (hereinafter referred to as "FIFRA") Registrations and Registration File Symbols listed in Attachment A ("Registration") and all accompanying data submitted to EPA by the Transferor in support of the Registrations listed in Attachment B (collectively the "Data"). The Transferor has not previously transferred or purportedly transferred the Registrations or any rights in the supporting Data for any such Registrations to another. The Transferor has the unqualified legal right to transfer the Registrations and all rights in the supporting Data for such Registrations to the Transferee upon approval by the Environmental Protection Agency (hereinafter referred to as "EPA").
3. Specifically and without qualification, subject to EPA approval, the Transferor irrevocably transfers to the Transferee all rights, title, and interest in the Registrations and all rights in the supporting Data for such Registrations that currently are listed in EPA's files, including all rights of exclusive use and data compensation thereof.
4. Both Transferor and Transferee state that the Registrations and all rights in the supporting Data for Registrations do not serve as collateral or otherwise secure any loan or other payment arrangement or executory promise, and the Registrations and all rights in the supporting Data for such Registrations shall not revert to the Transferor in any circumstance unless the Transferee submits a new properly executed transfer agreement to EPA which is approved by EPA.
5. The Registrations and Data are being transferred as part of a confidential commercial business agreement between Transferor and Transferee.
6. Transferor and Transferee each state that they understand that any false statements in this Transfer Agreement may be punishable under 18 U.S.C. §1001.

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7. Transferor acknowledges Transferee's rights to the Registrations and all rights in the supporting Data for such Registrations. Transferee acknowledges that its rights and duties concerning the Registrations and all rights in the supporting Data for such Registrations under FIFRA and the FIFRA regulations will be deemed by EPA to be the same as those of the Transferor at the time the transfer is approved by EPA.
8. The person signing the Transfer Agreement for the Transferor is authorized as its agent to bind the transferor.
 - (a) No court order prohibits the transfer, and that any required court approvals have been obtained; and
 - (b) The transfer is authorized under all relevant Federal, State and local laws and all relevant corporate charters, bylaws, partnerships, or other agreements.

Gro-Pro, LLC

By:
Name:
Title:

Randell V. Canady
Randell V. Canady
Chief operating officer

Nufarm Americas Inc.

By:
Name:
Title:

Jeannie Smith
Jeannie Smith
Vice President, Registrations & Regulatory Affairs

This document has been subscribed and affirmed, or sworn before me in the county of Cook, State of Illinois, this 24 day of April, 2007.

My commission expires October 1, 2007.

Signature of Notary

Janice M. Burke
Janice M. Burke



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**Registration Transfer Agreement
Attachment A**

**List of Registrations to be Transferred to
Nufarm Americas Inc (EPA Company Number 228)**

EPA File Symbol

Product Name

79676-UR*	ETI 108 02 H
79676-UE**	ETI 108 04 H
79676-UO***	ETI 108 10 H
79676-39	Dithiopyr E-Pro 40 WSP Herbicide
79676-40	ETI 108 06 H
79676-43	ETI 108 03 H Turf and Ornamental Herbicide
79676-44	ETI 108 05 H Turf and Ornamental Herbicide
79676-45	ETI 108 11 H
79676-46	ETI 108 08 H
79676-47	ETI 108 03 H
79676-48	ETI 108 09 H

*EPA Reg. No. 79676-41

**EPA Reg. No. 79676-42

***EPA Reg. No. 79676-49

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**Registration Transfer Agreement
Attachment B
List of Study Ownership Transferred to
Nufarm Americas Inc. (EPA Company Number 228)**

MRID No.	Citation
46966101	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for Dithiopyr E-Pro 40 WSP.
46966102	Wo, C. Dithiopyr E-Pro 40 WSP; Physical and Chemical Characteristics: Physical State, Oxidation/Reduction, pH, and Bulk Density.
46966103	Kellogg, M. Waiver Request for Certain Data Requirements for Dithiopyr E-Pro 40 WSP Herbicide.
46986301	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 02 H.
46986302	Wo, C. ETI 108 02 H; Physical and Chemical Characteristics: Physical State, Oxidation/Reduction, pH, and Bulk Density.
46986303	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 02 H.
46986101	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 06 H.
46986102	Kellogg, M. ETI 108 06 H – Request to Bridge Physical/Chemical Characteristics Data to Support the Registration of ETI 108 06 H.
46986103	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 06 H.
46987001	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 10 H.
46987002	Kellogg, M. ETI 108 10 H – Request to Bridge Physical/Chemical Characteristics Data to Support the Registration of ETI 108 10 H.
46987003	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 10 H.
46987101	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 04 H.
46987102	Kellogg, M. ETI 108 04 H – Request to Bridge Physical/Chemical Characteristics Data to Support the Registration of ETI 108 04 H.
46987103	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 04 H.
46987201	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 05 H.
46987202	Kellogg, M. ETI 108 05 H – Request to Bridge Physical/Chemical Characteristics Data to Support the Registration of ETI 108 05 H.
46987203	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 05 H.
46987301	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 07 H.
46987302	Kellogg, M. ETI 108 07 H – Request to Bridge Physical/Chemical Characteristics Data to Support the Registration of ETI 108 07 H.
46987303	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 07 H.
46987401	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 11 H.
46987402	Kellogg, M. ETI 108 11 H – Request to Bridge Physical/Chemical Characteristics Data to Support the Registration of ETI 108 11 H.

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MRID No.	Citation
46987403	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 11 H.
46987501	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 09 H.
46987502	Kellogg, M. ETI 108 09 H – Request to Bridge Physical/Chemical Characteristics Data to Support the Registration of ETI 108 09 H.
46987503	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 09 H.
46987601	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 08 H.
46987602	Kellogg, M. ETI 108 08 H – Request to Bridge Physical/Chemical Characteristics Data to Support the Registration of ETI 108 08 H.
46987603	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 08 H.
46987701	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 03 H.
46987702	Kellogg, M. ETI 108 03 H – Request to Bridge Physical/Chemical Characteristics Data to Support the Registration of ETI 108 03 H.
46987703	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 03 H.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ms. Jeannie Smith
Nufarm Limited
PO Box 13439
Research triangle Park, NC 27709

RE: Application To Register, Received August 3, 2006
Dithiopyr Technical
EPA Registration File Symbol: 72167-LL

Dear Ms. Smith:

Our records indicate that the decision review period for EPA to make a determination pursuant to the Pesticide Registration Improvement Act (PRIA) regarding the above referenced application ends on May 23, 2007. The Agency has reviewed the application. On May 1, 2007, the Agency informed you that the application was inadequate and described the deficiencies to be addressed. The deficiencies described to you were your failure to submit the required "Certification with Respect to Citation of Data", EPA Form 8570-34. This form, with required attachments, is required to address the provisions of FIFRA section 3(c)(2)(D) as described in the Code of Federal Regulations, Subpart E --Procedures to Ensure Protection of Data Submitters' Rights". Other deficiencies were identified in a FAXed note to Ms. Ann Tillman of Pyxis Regulatory Consulting, Inc. Data required for impurities in the Product was triggered and described in the note.

The Agency, in meeting its obligation to make a determination within the PRIA decision review period, has determined that your application does not meet the standard for registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and, therefore, cannot be granted at this time.

The application's deficiencies described above are not resolvable within the time limits of this application.

Although this concludes EPA's PRIA review of your application, this determination is not a denial of your application pursuant to section 3(c)(6) of FIFRA. *Pursuant to 40 CFR § 152.105, you have 75 days to address the deficiencies or notify the Agency when the information will be submitted to address the deficiencies.* You have the following four options:

1. **Resolve the issue(s).** You may resolve the issue(s) identified in this letter by submitting the information/data/studies by May 17, 2007 or an explanation of why it will take longer to correct the deficiency or deficiencies, including your written commitment and schedule to respond to the deficiencies. The Agency will then continue to diligently work with you in resolving the deficiencies without a PRIA decision due date. Absent unanticipated issues raised by your response to the issues in the deficiency letter, it is the Agency's expectation that resolution of the deficiencies will result in the granting of your application

2. **Do nothing.** If you do not respond to this letter, the Agency will administratively withdraw your application on May 17, 2007. *Since a fee was paid, the Agency will provide any applicable refund as soon as practicable.* Once the application is withdrawn, if you decide to pursue this action again, you will need to submit a new application, including either the appropriate fee or request for a fee waiver (or both, if the fee waiver request is for a 50% fee waiver).

3. **Withdraw the application.** You may withdraw your application. – *As a fee was paid, the Agency will provide any applicable refund as soon as practicable.* Once the application is withdrawn, if you decide to pursue this action again, you will need to submit a new application, including either the appropriate fee or request for a fee waiver (or both, if the fee waiver request is for a 50% fee waiver).

4. **Request a denial.** Because this determination is not a denial under section 3(c)(6) of FIFRA, you may request that EPA issue such a denial by responding to the Agency prior to **May 17, 2007**. The Agency may then initiate a denial process, based upon the record before the Agency as of the date of this letter, as described in section 3(c)(6) of FIFRA and 40 CFR § 152.118. The process includes publication of a notice of denial in the Federal Register and a possible public hearing.

If you have questions concerning or a response to this letter, please contact Eugene Wilson by telephone, 703-305-6103, or by e-mail at Wilson.Eugene@epa.gov.

Sincerely,

Debra Edwards, Ph.D., Director
Office of Pesticide Programs

7. Transferor acknowledges Transferee's rights to the Registrations and all rights in the supporting Data for such Registrations. Transferee acknowledges that its rights and duties concerning the Registrations and all rights in the supporting Data for such Registrations under FIFRA and the FIFRA regulations will be deemed by EPA to be the same as those of the Transferor at the time the transfer is approved by EPA.
8. The person signing the Transfer Agreement for the Transferor is authorized as its agent to bind the transferor.
- (a) No court order prohibits the transfer, and that any required court approvals have been obtained; and
 - (b) The transfer is authorized under all relevant Federal, State and local laws and all relevant corporate charters, bylaws, partnerships, or other agreements.

Gro-Pro, LLC

By: *Randall V. Canady*
Name: *Randall V. Canady*
Title: *Chief operating officer*

Nufarm Americas Inc.

By: *Jeannie Smith*
Name: *Jeannie Smith*
Title: *Vice President, Registrations & Regulatory Affairs*

This document has been subscribed and affirmed, or sworn before me in the county of Cook, State of Illinois, this 24 day of April, 2007.

My commission expires October 1, 2007.

Signature of Notary *Janice M. Burke*
Janice M. Burke



AVC

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**Registration Transfer Agreement
Attachment A**

**List of Registrations to be Transferred to
Nufarm Americas Inc (EPA Company Number 228)**

EPA File Symbol

Product Name

79676-UR*	ETI 108 02 H
79676-UE**	ETI 108 04 H
79676-UO***	ETI 108 10 H
79676-39	Dithiopyr E-Pro 40 WSP Herbicide
79676-40	ETI 108 06 H
79676-43	ETI 108 03 H Turf and Ornamental Herbicide
79676-44	ETI 108 05 H Turf and Ornamental Herbicide
79676-45	ETI 108 11 H
79676-46	ETI 108 08 H
79676-47	ETI 108 03 H
79676-48	ETI 108 09 H

*EPA Reg. No. 79676-41

**EPA Reg. No. 79676-42

***EPA Reg. No. 79676-49

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Registration Transfer Agreement
Attachment B
List of Study Ownership Transferred to
Nufarm Americas Inc. (EPA Company Number 228)

MRID No.	Citation
46966101	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for Dithiopyr E-Pro 40 WSP.
46966102	Wo, C. Dithiopyr E-Pro 40 WSP; Physical and Chemical Characteristics: Physical State, Oxidation/Reduction, pH, and Bulk Density.
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46986103	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 06 H.
46987001	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 10 H.
46987002	Kellogg, M. ETI 108 10 H – Request to Bridge Physical/Chemical Characteristics Data to Support the Registration of ETI 108 10 H.
46987003	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 10 H.
46987101	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 04 H.
46987102	Kellogg, M. ETI 108 04 H – Request to Bridge Physical/Chemical Characteristics Data to Support the Registration of ETI 108 04 H.
46987103	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 04 H.
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46987401	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 11 H.
46987402	Kellogg, M. ETI 108 11 H – Request to Bridge Physical/Chemical Characteristics Data to Support the Registration of ETI 108 11 H.

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MRID No.	Citation
46987403	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 11 H.
46987501	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 09 H.
46987502	Kellogg, M. ETI 108 09 H – Request to Bridge Physical/Chemical Characteristics Data to Support the Registration of ETI 108 09 H.
46987503	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 09 H.
46987601	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 08 H.
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46987603	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 08 H.
46987701	Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for ETI 108 03 H.
46987702	Kellogg, M. ETI 108 03 H – Request to Bridge Physical/Chemical Characteristics Data to Support the Registration of ETI 108 03 H.
46987703	Kellogg, M. Waiver Request for Certain Data Requirements for ETI 108 03 H.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

MAR 1 2007

Ms. Janelle Kay
Agent for Etigra, LLC
Pyxis Regulatory Consulting, Inc.
4110 13th St. NW
Gig Harbor, WA 98332

RE: Application To Register, August 10, 2006
Dithiopyr Technical
EPA Registration File Symbol: 81959-GN

Dear Ms. Kay:

Our records indicate that the decision review period for EPA to make a determination pursuant to the Pesticide Registration Improvement Act (PRIA) regarding the above referenced application ends on March 3, 2007. The Agency has reviewed the application. On February 22, 2007, the Agency informed you that the application was inadequate and described the deficiencies to be addressed. The deficiencies described to you were your failure to submit the required "Certification with Respect to Citation of Data", EPA Form 8570-34. This form, with required attachments, is required to address the provisions of FIFRA section 3(c)(2)(D) as described in the Code of Federal Regulations, Subpart E -- Procedures to Ensure Protection of Data Submitters' Rights".

The Agency, in meeting its obligation to make a determination within the PRIA decision review period, has determined that your application does not meet the standard for registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and, therefore, cannot be granted at this time.

The application's deficiencies described above are not resolvable as you have stated that you are not willing to submit the certification statement and are not willing to withdraw this application, and requested a "rejection letter" to this application.

Although this concludes EPA's PRIA review of your application, this determination is not a denial of your application pursuant to section 3(c)(6) of FIFRA. *Pursuant to 40 CFR § 152.105, you have 75 days to address the deficiencies or notify the Agency when the information will be submitted to address the deficiencies.* You have the following four options:

1. **Resolve the issue(s).** You may resolve the issue(s) identified in this letter by submitting the information/data/studies by May 17, 2007 or an explanation of why it will take longer to correct the deficiency or deficiencies, including your written commitment and schedule to respond to the deficiencies. The Agency will then continue to diligently work with you in resolving the deficiencies without a PRIA decision due date. Absent unanticipated issues raised by your response to the issues in the deficiency letter, it is the Agency's expectation that resolution of the deficiencies will result in the granting of your application

2. **Do nothing.** If you do not respond to this letter, the Agency will administratively withdraw your application on May 17, 2007. *Since a fee was paid, the Agency will provide any applicable refund as soon as practicable.* Once the application is withdrawn, if you decide to pursue this action again, you will need to submit a new application, including either the appropriate fee or request for a fee waiver (or both, if the fee waiver request is for a 50% fee waiver).

3. **Withdraw the application.** You may withdraw your application. – *As a fee was paid, the Agency will provide any applicable refund as soon as practicable.* Once the application is withdrawn, if you decide to pursue this action again, you will need to submit a new application, including either the appropriate fee or request for a fee waiver (or both, if the fee waiver request is for a 50% fee waiver).

4. **Request a denial.** Because this determination is not a denial under section 3(c)(6) of FIFRA, you may request that EPA issue such a denial by responding to the Agency prior to **May 17, 2007**. The Agency may then initiate a denial process, based upon the record before the Agency as of the date of this letter, as described in section 3(c)(6) of FIFRA and 40 CFR § 152.118. The process includes publication of a notice of denial in the Federal Register and a possible public hearing.

If you have questions concerning or a response to this letter, please contact Eugene Wilson by telephone, 703-305-6103, or by e-mail at Wilson.Eugene@epa.gov.

Sincerely,



James J. Jones, Director
Office of Pesticide Programs



Janelle Kay
<Janelle@PyxisRC.com>

02/22/2007 04:41 PM

To Eugene Wilson/DC/USEPA/US@EPA
cc
bcc
Subject 81959-GN

Eugene,

In follow-up to our conversation earlier today, Etigra LLC will not extend the appropriate offers-to-pay (thus preventing us from submitting the certification with respect to citation of data) in support of its pending Dithiopyr Technical (EPA File Symbol 81959-GN). Unfortunately, Etigra is not willing to withdraw its registration and would request that the Agency provide a rejection letter to this effect. ✓

I apologize for any inconvenience this may have caused. Please let me know if you have any questions or need any additional information.

Regards,

Janelle

Janelle Kay

Pyxis Regulatory Consulting, Inc.

4110 136th St. NW

Gig Harbor, WA 98332

P: 253-853-7369

F: 253-853-5516

E: Janelle@PyxisRC.com

PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

Phone: 253-853-7369
Fax: 253-853-5516
www.PyxisRC.com

May 4, 2007

COURIER DELIVERY

Document Processing Desk (XFER)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Etigra LLC to Nufarm Limited.
Gro-Pro LLC D/B/A Etigra to Nufarm Americas Inc.

To Whom It May Concern:

As a result of a business agreement, Etigra LLC requests the transfer of the following registration and data to Nufarm Limited:

EPA Reg. No. 81959-GN*

Dithiopyr Technical

In addition, Gro-Pro LLC d/b/a Etigra requests the transfer of the following registrations and data to Nufarm Americas, Inc.:

EPA Reg. No. 79676-39	Dithiopyr E-Pro 40 WSP Herbicide
EPA Reg. No. 79676-40	ETI 108 06 H
EPA Reg. No. 79676-41	ETI 108 02 H
EPA Reg. No. 79676-42	ETI 108 04 H
EPA Reg. No. 79676-43	ETI 108 03 H Turf and Ornamental Herbicide
EPA Reg. No. 79676-44	ETI 108 05 H Turf and Ornamental Herbicide
EPA Reg. No. 79676-45	ETI 108 11 H
EPA Reg. No. 79676-46	ETI 108 08 H
EPA Reg. No. 79676-47	ETI 108 07 H
EPA Reg. No. 79676-48	ETI 108 09 H
EPA Reg. No. 79676-49	ETI 108 10 H

In support of these transfer requests, enclosed please find fully executed transfer agreements. Please don't hesitate to contact me if you have any questions or need any additional information.

Regards,



Janelle Kay
Agent for Etigra

Enclosures

**Agreement for Transfer of
Registration and all Associated Data Rights
from Etigra to Nufarm Americas Inc.**

1. This Transfer Agreement, dated as of April 10, 2007, is by and between:

A. Present Registrant

Etigra LLC (hereinafter referred to as "Transferor").

EPA Company Name: Etigra
EPA Address of Record: c/o Pyxis Regulatory Consulting
4110 136th St, NW
Gig Harbor, WA 98332
Phone: 253 853-7369
Fax: 253 853-5516
EPA Company Number: 81959

B. Proposed New Registrant

Nufarm Americas Inc (hereinafter referred to as "Transferee").

EPA Company Name: Nufarm Limited
EPA Address of Record: PO Box 13439
Research Triangle Park, NC 27709
Phone: 630 455-2000
Fax: 630 455-2030
EPA Company Number: 35935

2. The Transferor is the owner of a certain Federal Insecticide, Fungicide, and Rodenticide Act (hereinafter referred to as "FIFRA") Registration File Symbol listed in Attachment A ("Registration") and all accompanying data submitted to EPA by the Transferor in support of the Registration listed in Attachment B (collectively the "Data"). The Transferor has not previously transferred or purportedly transferred the Registration or any rights in the supporting Data for any such Registration to another. The Transferor has the unqualified legal right to transfer the Registration and all rights in the supporting Data for such Registration to the Transferee upon approval by the Environmental Protection Agency (hereinafter referred to as "EPA").
3. Specifically and without qualification, subject to EPA approval, the Transferor irrevocably transfers to the Transferee all rights, title, and interest in the Registration and all rights in the supporting Data for such Registration that currently are listed in EPA's files, including all rights of exclusive use and data compensation thereof.
4. Both Transferor and Transferee state that the Registration and all rights in the supporting Data for Registration do not serve as collateral or otherwise secure any loan or other payment arrangement or executory promise, and the Registration and all rights in the supporting Data for such Registration shall not revert to the Transferor in any circumstance unless the Transferee submits a new properly executed transfer agreement to EPA which is approved by EPA.
5. The Registration and Data are being transferred as part of a confidential commercial business agreement between Transferor and Transferee.
6. Transferor and Transferee each state that they understand that any false statements in this Transfer Agreement may be punishable under 18 U.S.C. §1001.

RVC

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7. Transferor acknowledges Transferee's rights to the Registration and all rights in the supporting Data for such Registration. Transferee acknowledges that its rights and duties concerning the Registration and all rights in the supporting Data for such Registration under FIFRA and the FIFRA regulations will be deemed by EPA to be the same as those of the Transferor at the time the transfer is approved by EPA.
8. The person signing the Transfer Agreement for the Transferor is authorized as its agent to bind the transferor.
- (a) No court order prohibits the transfer, and that any required court approvals have been obtained; and
 - (b) The transfer is authorized under all relevant Federal, State and local laws and all relevant corporate charters, bylaws, partnerships, or other agreements.

Etigra LLC

By: *Randall V. Canady*
Name: *Randall V. Canady*
Title: *Chief Operating Officer*

Nufarm Americas Inc.

By: *Jeannie Smith*
Name: *Jeannie Smith*
Title: *Vice President, Registrations & Regulatory Affairs*

This document has been subscribed and affirmed, or sworn before me in the county of Cook, State of Illinois, this 24 day of April, 2007.

My commission expires October 1, 2007.

Signature of Notary *Janice M. Burke*
Janice M. Burke



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**Registration Transfer Agreement
Attachment A**

**List of Registrations to be Transferred
to Nufarm (EPA Company Number 35935)**

EPA File Symbol

81959-GN*

Product Name

Dithiopyr Technical

*EPA Reg. No. 81959-30

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JS
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**Registration Transfer Agreement
Attachment B
List of Study Ownership Transferred to
Nufarm (EPA Company Number 35935)**

MRID No.	Citation
46911501	Kay, J. Product Identity and Composition, Description of the Materials Used, Description of the Production Process, Discussion of the Formation of Impurities, and Certified Limits for Dithiopyr Technical.
46911502	Gamble, R. ET-034 Preliminary Analysis
46911503	Wo, C. ET-034 Physical and Chemical Characteristics: Color, Physical State, Odor, Stability to Normal and Elevated Temperature, pH, UV/Visible Absorption, Melting Point, Bulk Density, Dissociation Constant, Partition Coefficient, and Solubility
46911504	Kay, J. Waiver Request for Certain Data Requirements for Dithiopyr Technical.

AVC

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**Agreement for Transfer of
Registration and all Associated Data Rights
from Gro-Pro, LLC to Nufarm Americas Inc.**

1. This Transfer Agreement, dated as of April 10, 2007, is by and between:

A. Present Registrant

Gro-Pro, LLC D/B/A Etigra (hereinafter referred to as "Transferor").
EPA Company Name: Gro-Pro D/B/A/ Etigra
EPA Address of Record: 501 Cascade Pointe Lane, Suite 103
Cary, NC 27513
Phone: 919 342-5171
Fax: 919 342-5176
EPA Company Number: 79676

B. Proposed New Registrant

Nufarm Americas Inc (hereinafter referred to as "Transferee").
EPA Company Name: Nufarm Americas Inc.
EPA Address of Record: 150 Harvester Drive, Suite 200
Burr Ridge, IL 60527
Phone: 630 455-2000
Fax: 630 455-2030
EPA Company Number: 228

2. The Transferor is the owner of a certain Federal Insecticide, Fungicide, and Rodenticide Act (hereinafter referred to as "FIFRA") Registrations and Registration File Symbols listed in Attachment A ("Registration") and all accompanying data submitted to EPA by the Transferor in support of the Registrations listed in Attachment B (collectively the "Data"). The Transferor has not previously transferred or purportedly transferred the Registrations or any rights in the supporting Data for any such Registrations to another. The Transferor has the unqualified legal right to transfer the Registrations and all rights in the supporting Data for such Registrations to the Transferee upon approval by the Environmental Protection Agency (hereinafter referred to as "EPA").
3. Specifically and without qualification, subject to EPA approval, the Transferor irrevocably transfers to the Transferee all rights, title, and interest in the Registrations and all rights in the supporting Data for such Registrations that currently are listed in EPA's files, including all rights of exclusive use and data compensation thereof.
4. Both Transferor and Transferee state that the Registrations and all rights in the supporting Data for Registrations do not serve as collateral or otherwise secure any loan or other payment arrangement or executory promise, and the Registrations and all rights in the supporting Data for such Registrations shall not revert to the Transferor in any circumstance unless the Transferee submits a new properly executed transfer agreement to EPA which is approved by EPA.
5. The Registrations and Data are being transferred as part of a confidential commercial business agreement between Transferor and Transferee.
6. Transferor and Transferee each state that they understand that any false statements in this Transfer Agreement may be punishable under 18 U.S.C. §1001.

RVC

JS



Janelle Kay
<Janelle@PyxisRC.com>

01/30/2007 11:55 AM

To Shyam Mathur/DC/USEPA/US@EPA

cc Ann Tillman <Ann@PyxisRC.com>, Joanne
Miller/DC/USEPA/US@EPA

bcc

Subject Dithiopyr Technical, ET-034 (EPA File Symbol No.
81959-GN)

Dear Shyam,

It was a pleasure speaking to you again today. In follow-up to our phone conversation, I'd like to address the following requirements relating to Etigra's Dithiopyr Technical (EPA Reg. No. 81959-GN):

- 830.1800, Enforcement Analytical Method: Please use the method described in the nonconfidential portion of MRID 46911502 (preliminary analysis) as the enforcement analytical method.
- 830.6313, Stability to metals and metal ions: Etigra LLC would like to waive this data requirement. Dithiopyr Technical does not come in contact during storage or production and Etigra is willing to propose a label restriction preventing formulation of end-use products in metals or metal ions (see attached).
- 830.6314, Oxidation/reduction: Dithiopyr Technical contains only active ingredient and some impurities and does not contain any oxidizers or reducers. Therefore, Etigra LLC is requesting a waiver for this data requirement.
- 830.6317/830.6320, Storage stability/corrosion characteristics: Etigra LLC will conduct this study and requests a conditional registration be granted on the submission of these data.

Please let me know if you have any questions or need any additional information.

Regards,

Janelle

Janelle Kay

Pyxis Regulatory Consulting, Inc.

4110 136th St. NW

Gig Harbor, WA 98332

P: 253-853-7369

F: 253-853-5516

E: Janelle@PyxisRC.com



20070130 Dithiopyr Technical.pdf



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

September 8, 2006

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

PYXIS REGULATORY CONSULTING, INC.
ETIGRA LLC
4110 136TH ST, NW
GIG HARBOR, WA 98332-

PRODUCT NAME: DITHIOPYR TECHNICAL
COMPANY NAME: ETIGRA LLC
EPA FILE SYMBOL: 81959-GN
EPA RECEIPT DATE: 08/30/06

SUBJECT: RECEIPT OF AMENDMENT

DEAR REGISTRANT:

The Office of Pesticide Programs has received your application for an amendment and it has passed an administrative screen for completeness.

During the initial screen we determined that the application appears to qualify for fast track review. The package will now be forwarded to the Product Manager for review to determine its acceptability for fast track status.

If you have any questions, please contact Registration Division, Risk Management Team 23, at (703) 305-6224.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie", is positioned above the typed name.

Front End Processing Staff
Information Services Branch
Information Technology & Resources Management Division

PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

Phone: 253-853-7369
Fax: 253-853-5516
www.PyxisRC.com

August 29, 2006

COURIER DELIVERY

Joanne Miller/Eugene Wilson (PM23)
Document Processing Desk (REGFEE)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Etigra, LLC – Dithiopyr Technical (EPA Reg. No. 81959-GN)
Submission of revised labeling based on phone conversation on August 29, 2006

Dear Ms. Miller,

On behalf of Etigra, LLC and in follow-up to a phone conversation with Eugene Wilson on August 29, 2006, enclosed please find revised proposed product labeling incorporating the following requested changes:

- Addition of CAS name to the active ingredient statement
- Minor modifications to the storage and disposal language
- Clarification of use sites (i.e. ornamentals)
- Modification of the warranty.

In support of this submission, enclosed are the following:

1. Application for Pesticide Registration (EPA Form 8570-1)
2. Five (5) Copies of the Proposed Labeling
3. Letter of Authorization

We trust you will find this submission complete. However, please feel free to contact me if you have any questions or need any additional information.

Sincerely,



Janelle Kay

Enclosures



United States
Environmental Protection Agency
Washington, DC 20460

☒ Registration
☐ Amendment
☐ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 81959-GN	2. EPA Product Manager J. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Etigra, LLC / Dithiopyr Technical	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Etigra, LLC c/o Pyxis Regulatory Consulting, Inc. 4110 136th St. NW Giga Harbor, WA 98332 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. <u>62719-425</u> Product Name <u>MON 15100 Herbicide</u>	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated <u>8/29/06</u>	<input type="checkbox"/> "Me Too" Application.
<input type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Submission of revised labeling based on phone conversation with Eugene Wilson on August 29, 2006.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	
				<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
* Notification must be submitted				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Janelle Kay	Title Agent	Telephone No. (Include Area Code) 253-853-7360
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Agent	
4. Typed Name Janelle Kay	5. Date 8/29/06	

DITHIOPYR TECHNICAL

ACTIVE INGREDIENT:

Dithiopyr: S,S'-dimethyl 2-(difluoromethyl)-4-(2-methylpropyl)-6-(trifluoromethyl)-3,5-pyridinedicarbothioate96.5%

OTHER INGREDIENTS:3.5%

TOTAL:100.0%

Name
Correct
CAS Index
Name.

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
If swallowed:	<ul style="list-style-type: none">• Call a poison control center or doctor immediately for treatment advice.• Have person sip a glass of water if able to swallow.• Do not induce vomiting unless told to do so by the poison control center or doctor.• Do not give anything by mouth to an unconscious person.
If inhaled:	<ul style="list-style-type: none">• Move person to fresh air.• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.• Call a poison control center or doctor for further treatment advice.
If on skin or clothing:	<ul style="list-style-type: none">• Take off contaminated clothing.• Rinse skin immediately with plenty of water for 15-20 minutes.• Call a poison control center or doctor for treatment advice.
If in eyes:	<ul style="list-style-type: none">• Hold eye open and rinse slowly and gently with water for 15-20 minutes.• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.• Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

EPA Reg. No. 81959-GN

EPA Est. No.

Manufactured for:

Etigra, LLC
2214 Hwy 44 West
Inverness, FL 34453

Net Weight:

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Only for formulation into a herbicide for the following uses:

- 1) Lawns, sod farms, noncrop areas, industrial sites, ornamental turf, landscape ornamentals and field grown nursery ornamentals;
- 2) Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration;
- 3) Uses for experimental purposes that are in compliance with USEPA requirements.

Each formulator is responsible for obtaining EPA registration for their end-use product(s).

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: Do not mix or store this product in unlined steel containers.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product at an approved waste disposal facility.

CONTAINER DISPOSAL: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. Triple rinse (or equivalent) the steel drum. Then, offer for recycling or reconditioning, or puncture and dispose in a sanitary landfill, or by other procedures approved by state and local authorities.

CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded. ✓

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Etigra, LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use when used in accordance with directions for use. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or Etigra, LLC, and Buyer and User assume the risk of any such use. ETIGRA, LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

In no event shall Etigra, LLC or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ETIGRA, LLC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF ETIGRA, LLC OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

Etigra, LLC and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of Etigra, LLC.

**Fees For Service Screen
81959-GN**

The Administrative Paperwork is not complete. The Certification with Respect to Citation of Data, EPA Form 8570-34, must be submitted. This product does not qualify for the formulator's exemption for their source of active ingredient; a new unregistered source of active ingredient.

This submission is complete enough to start review of the product chemistry data and route to the Acute Toxicity Similarity Clinic to determine if substantially similar to the cited me-too product 62719-425.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

August 17, 2006

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

PLEASE RETURN A COPY OF THIS LETTER WITH PAYMENT

OPP Decision Number: D-369976
EPA File Symbol or Registration Number: 81959-GN
Product Name: DITHIOPYR TECHNICAL
EPA Receipt Date: 14-Aug-2006
EPA Company Number: 81959
Company Name: ETIGRA LLC

Janelle Kay
PYXIS REGULATORY CONSULTING, INC.
ETIGRA LLC
4110 136TH ST, NW
GIG HARBOR, WA 98332-

SUBJECT: Receipt of Registration Application Subject to Registration Service Fee

Dear Registrant:

The Office of Pesticide Programs has received your application for registration. If you submitted data with this application, the results of the PRN-86-5 screen will be communicated separately. During the administrative screen, the Office of Pesticide Programs has determined that this Action is subject to a Pesticide Registration Service Fee as defined in the Pesticide Registration Improvement Act.

The Action has been identified as Action Code: R31

NEW PRODUCT;NON-FAST TRACK (INCLUDES REVIEWS OF PRODUCT
CHEMISTRY;ACUTE TOXICITY;PUBLIC HEALTH PEST EFFICACY);

Please remit payment in the amount of: \$ 4,200 to:

By USPS:
USEPA Washington Finance Center
Pesticide Registration Service Fee
PO Box 360277
Pittsburgh, PA 15251

By Courier:

U.S. EPA Washington Finance Center
Pesticide Registration Service Fee
C/O Mellon Client Service Center
500 Ross Street, Room 670
Box 360277
Pittsburgh, PA 15251-6277
Attn: EPA Module Supervisor
Telephone: (412) 236-2294

All payments must be in United States currency by check, bank draft, or money order drawn to the order of the Environmental Protection Agency. To ensure proper credit, please write the OPP DECISION NUMBER on your check, and enclose a copy of this letter with your payment.

You may be eligible for a full or partial waiver of the registration service fee if, for example, you qualify as a small business or are applying for a minor use, or if your application is solely associated with an IR-4 tolerance petition. Please be advised that if you intend to request a waiver, you must do so in writing within 15 days of receipt of this invoice instead of remitting the amount indicated above. OPP will not consider waiver requests after the registration service fee has been paid. Information regarding eligibility and how to request and document a fee waiver is available on the OPP Fee for Service web site at www.epa.gov/pesticides/fees.

Please send Registration Service Fee Waiver requests to:

By USPS:

Document Processing Desk (WAIVER)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460

By Courier:

Document Processing Desk (WAIVER)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

A PRIA decision time review period will not start until a fee waiver is granted and/or the Agency receives certification that the outstanding fee has been paid. If the Agency does not receive certification of payment for this action or a fee waiver request within the next 45 days, the Agency will presume that you no longer want to pursue this action. The Agency will then initiate a process that may result in administrative withdrawal of this action.

If you have any questions, please contact the Pesticide Registration Service Fee Ombudsman at (703) 305-6249.

Sincerely,



Front End Processing Staff
Information Technology & Resources Management Division

PYXIS REGULATORY CONSULTING, INC.

469115-00

4110 136th St. NW
Gig Harbor, WA 98332

Phone: 253-853-7369
Fax: 253-853-5516
www.PyxisRC.com

August 10, 2006

COURIER DELIVERY

Joanne Miller (PM23)
Document Processing Desk (REGFEE)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Etigra, LLC – Dithiopyr Technical (EPA Reg. No. 81959-)
Application for New Pesticide Registration

Dear Ms. Miller,

On behalf of Etigra, LLC, we are submitting an application for registration of Dithiopyr Technical, a technical product containing dithiopyr as the active ingredient. In support of this application, we submit the following documents:

1. Application for a New Pesticide Registration (EPA Form 8570-1)
2. Confidential Statement of Formula (EPA Form 8570-4)
3. Five (5) Copies of the Proposed Labeling
4. Agency Internal Use Copy of the Data Matrix (EPA Form 8570-35)
5. Public File Copy of the Data Matrix (EPA Form 8570-35)
6. Copies of notice of intent to apply sent to companies identified on the Data Submitter's List
7. Letter of Authorization
8. Product Specific Data

46911501

Volume 1	830.1550, 830.1600, 830.1620, 830.1670, 830.1750	Kay, J. Product Identity and Composition, Description of the Materials Used, Description of the Production Process, Discussion of the Formation of Impurities, and Certified Limits for Dithiopyr Technical.
Volume 2	830.1700	Gamble, R. ET-034 Preliminary Analysis
Volume 3	830.6302, 830.6303, 830.6304, 830.6313, 830.7000, 830.7050, 830.7200, 830.7300, 830.7370, 830.7550, 830.7840	Wo, C. ET-034 Physical and Chemical Characteristics: Color, Physical State, Odor, Stability to Normal and Elevated Temperature, pH, UV/Visible Absorption, Melting Point, Bulk Density, Dissociation Constant, Partition Coefficient, and Solubility.

46911502

46911503

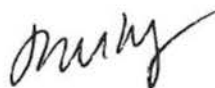
48911504

Volume 4	830.6313, 830.6315, 830.6316, 830.6317, 830.6319, 830.6320, 830.6321, 830.7100, 830.7220, 830.7950	Kay, J. Waiver Request for Certain Data Requirements for Dithiopyr Technical.
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We would like to note that at this time, Etigra, LLC is not submitting the Certification with Respect to Citation of Data, but ***will be using the cite-all method of support***. As per EPA's recent interpretations of 40 CFR Parts 152.86(b)(2)(i) and 152.93(b)(2)(i), Etigra, LLC submitted notices of intent to apply to all companies on the March 31, 2006 Data Submitter's List. Etigra, LLC is withholding the respective offer(s)-to-pay (and corresponding Certification with Respect to Citation of Data) until after EPA has determined that Etigra, LLC's proposed product is considered substantially similar to the currently registered product and EPA has reviewed and agreed to the proposed data matrix. Etigra, LLC understands that withholding the submission of the Certification with Respect to Citation of Data until prior to the approval of the registration will not delay processing of the application.

We trust you will find this application complete. However, please feel free to contact me if you have any questions or need any additional information.

Sincerely,



Janelle Kay

Enclosures



United States
Environmental Protection Agency
Washington, DC 20460

☒ Registration
☐ Amendment
☐ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 81959- <u>GN</u>	2. EPA Product Manager J. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Etigra, LLC / Dithiopyr Technical	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Etigra, LLC c/o Pyxis Regulatory Consulting, Inc. 4110 136th St. NW Gig Harbor, WA 98332 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. <u>62719-425</u> Product Name <u>MON 15100 Herbicide</u>	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input checked="" type="checkbox"/> "Me Too" Application.
<input type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

This application falls under Category R31 (86: New product, non-fast track) because it is an application for registration (using the cite-all method of support) of a new source of TGA1 substantially similar to a currently registered product. The fee due is \$4200 and the decision timeline is 6 months. Please email or fax the fee for service invoice to: fees@PyxisRC.com or 253-853-5516.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	
Certification must be submitted				<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container	<input checked="" type="checkbox"/> Other (Specify) <u>lined steel drum</u>
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 200 kg		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name Janelle Kay		Title Agent		Telephone No. (Include Area Code) 253-853-7369	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.					6. Date Application Received (Stamped)
2. Signature 		3. Title Agent			
4. Typed Name Janelle Kay		5. Date 8/10/00			



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

August 23, 2006

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

PYXIS REGULATORY CONSULTING, INC.
ETIGRA LLC
4110 136TH ST, NW
GIG HARBOR, WA 98332-

Report of Analysis for Compliance with PR Notice 86-5

Thank you for your submittal of 14-AUG-06. Our staff has completed a preliminary analysis of the material. The results are provided as follows:

Your submittal was found to be in full compliance with the standards for submission of data contained in PR Notice 86-5. A copy of your bibliography is enclosed, annotated with Master Record ID's (MRIDs) assigned to each document submitted. Please use these numbers in all future references to these documents. Thank you for your cooperation. If you have any questions concerning this data submission, please raise them with the cognizant Product Manager, to whom the data have been released.

PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

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Fax: 253-853-5516
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August 10, 2006

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4. Agency Internal Use Copy of the Data Matrix (EPA Form 8570-35)
5. Public File Copy of the Data Matrix (EPA Form 8570-35)
6. Copies of notice of intent to apply sent to companies identified on the Data Submitter's List
7. Letter of Authorization
8. Product Specific Data

Volume 1	830.1550, 830.1600, 830.1620, 830.1670, 830.1750	Kay, J. Product Identity and Composition, Description of the Materials Used, Description of the Production Process, Discussion of the Formation of Impurities, and Certified Limits for Dithiopyr Technical.
Volume 2	830.1700	Gamble, R. ET-034 Preliminary Analysis
Volume 3	830.6302, 830.6303, 830.6304, 830.6313, 830.7000, 830.7050, 830.7200, 830.7300, 830.7370, 830.7550, 830.7840	Wo, C. ET-034 Physical and Chemical Characteristics: Color, Physical State, Odor, Stability to Normal and Elevated Temperature, pH, UV/Visible Absorption, Melting Point, Bulk Density, Dissociation Constant, Partition Coefficient, and Solubility.

Volume 4	830.6313, 830.6315, 830.6316, 830.6317, 830.6319, 830.6320, 830.6321, 830.7100, 830.7220, 830.7950	Kay, J. Waiver Request for Certain Data Requirements for Dithiopyr Technical.
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We would like to note that at this time, Etigra, LLC is not submitting the Certification with Respect to Citation of Data, but *will be using the cite-all method of support*. As per EPA's recent interpretations of 40 CFR Parts 152.86(b)(2)(i) and 152.93(b)(2)(i), Etigra, LLC submitted notices of intent to apply to all companies on the March 31, 2006 Data Submitter's List. Etigra, LLC is withholding the respective offer(s)-to-pay (and corresponding Certification with Respect to Citation of Data) until after EPA has determined that Etigra, LLC's proposed product is considered substantially similar to the currently registered product and EPA has reviewed and agreed to the proposed data matrix. Etigra, LLC understands that withholding the submission of the Certification with Respect to Citation of Data until prior to the approval of the registration will not delay processing of the application.

We trust you will find this application complete. However, please feel free to contact me if you have any questions or need any additional information.

Sincerely,



Janelle Kay


Enclosures

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

401 M Street, S.W.
WASHINGTON, D.C. 20460

Paperwork Reduction Act Notice: The public reporting burden for this collection of information is estimated to average 0.25 hours per response for registration activities and 0.25 hours per response for reregistration and special review activities, including time for reading the instructions and completing the necessary forms. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to: Director, OPPE Information Management Division (2137), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460. Do not send the form to this address.

DATA MATRIX


Date August 10, 2006			EPA Reg No./File Symbol 81959-		Page 1 of 5
Applicant's/Registrant's Name & Address Etigra LLC 2214 Hwy 44 West Inverness, FL 34453			Product Dithiopyr Technical		
Ingredient Dithiopyr					
Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
Product Specific Data Requirements					
830.1550	Product Identity and Composition	Volume 1	Etigra LLC	OWN	
830.1600	Description of Materials Used to Produce the Product	Volume 1	Etigra LLC	OWN	
830.1620	Description of Production Process	Volume 1	Etigra LLC	OWN	
830.1650	Description of Formulation Process				Not required ¹
830.1670	Discussion of Formation of Impurities	Volume 1	Etigra LLC	OWN	
830.1700	Preliminary Analysis	Volume 2	Etigra LLC	OWN	
830.1750	Certified Limits	Volume 1	Etigra LLC	OWN	
830.1800	Enforcement Analytical Method	Volume 2	Etigra LLC	OWN	
830.6302	Color	Volume 3	Etigra LLC	OWN	
830.6303	Physical State	Volume 3	Etigra LLC	OWN	
830.6304	Odor	Volume 3	Etigra LLC	OWN	
830.6313	Stability to Normal and Elevated Temperatures, Metals, and Metal Ions	Volume 3	Etigra LLC	OWN	
830.6314	Oxidation/Reduction: Chemical Incompatibility				Not required ²
830.6315	Flammability				Not required ²
830.6316	Explosibility				Not required ²
Signature 			Name and Title Janelle Kay, Consultant		Date 8/10/06

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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WASHINGTON, D.C. 20460

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DATA MATRIX


Date August 10, 2006			EPA Reg No./File Symbol 81959-		Page 2 of 5
Applicant's/Registrant's Name & Address Etigra LLC 2214 Hwy 44 West Inverness, FL 34453			Product Dithiopyr Technical		
Ingredient Dithiopyr					
Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
830.6317	Storage Stability				Not required ²
830.6319	Miscibility				Not required ²
830.6320	Corrosion Characteristics				Not required ²
830.6321	Dielectric Breakdown Voltage				Not required ²
830.7000	pH	Volume 3	Etigra LLC	OWN	
830.7050	UV/Visible Absorption	Volume 3	Etigra LLC	OWN	
830.7100	Viscosity				Not required ²
830.7200	Melting Point/Melting Range	Volume 3	Etigra LLC	OWN	
830.7220	Boiling Point/Boiling Range				Not required ³
830.7300	Density/Relative Density/Bulk Density	Volume 3	Etigra LLC	OWN	
830.7370	Dissociation Constants in Water	Volume 3	Etigra LLC	OWN	
830.7550	Partition Coefficient (n-octanol/water), Shake Flask Method	Volume 3	Etigra LLC	OWN	
830.7560	Partition Coefficient (n-octanol/water), Generator Column Method				See 830.7550
830.7570	Partition Coefficient (n-octanol/water), Estimation by Liquid Chromatography				See 830.7550
Signature 			Name and Title Janelle Kay, Consultant		Date 8/10/06

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

401 M Street, S.W.
WASHINGTON, D.C. 20460

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DATA MATRIX

Date August 10, 2006			EPA Reg No./File Symbol 81959-		Page 3 of 5
Applicant's/Registrant's Name & Address Etigra LLC 2214 Hwy 44 West Inverness, FL 34453			Product Dithiopyr Technical		
Ingredient Dithiopyr					
Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
830.7840	Water Solubility: Column Elution Method; Shake Flask Method	Volume 3	Etigra LLC	OWN	
830.7860	Water Solubility, Generator Column Method				See 830.7840
830.7950	Vapor Pressure				Waiver request ⁴
870.1100	Acute Oral Toxicity: Rat	Cite-All		PAY	
870.1200	Acute Dermal Toxicity: Rat	Cite-All		PAY	
870.1300	Acute Inhalation Toxicity: Rat	Cite-All		PAY	
870.2400	Primary Eye Irritation: Rabbit	Cite-All		PAY	
870.2500	Primary Dermal Irritation	Cite-All		PAY	
870.2600	Dermal Sensitization	Cite-All		PAY	
Dithiopyr Generic Data Requirements					
Etigra, LLC will make offers-to-pay to the following companies on the data submitters list of March 31, 2006					
Dithiopyr Generic Data Requirements	Cite-All Method utilized by Etigra, LLC for Dithiopyr data requirements		Bayer CropScience LP	PAY	
Signature 			Name and Title Janelle Kay, Consultant		Date 8/10/06

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

401 M Street, S.W.
WASHINGTON, D.C. 20460

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DATA MATRIX


Date August 10, 2006			EPA Reg No./File Symbol 81959-	Page 4 of 5	
Applicant's/Registrant's Name & Address Etigra LLC 2214 Hwy 44 West Inverness, FL 34453			Product Dithiopyr Technical		
Ingredient Dithiopyr					
Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
Dithiopyr Generic Data Requirements	Cite-All Method utilized by Etigra, LLC for Dithiopyr data requirements		Lebanon Seaboard Corporation	PAY	
Dithiopyr Generic Data Requirements	Cite-All Method utilized by Etigra, LLC for Dithiopyr data requirements		PBI/Gordon Corp.	PAY	
Dithiopyr Generic Data Requirements	Cite-All Method utilized by Etigra, LLC for Dithiopyr data requirements		Southern States Cooperative, Inc.	PAY	
Dithiopyr Generic Data Requirements	Cite-All Method utilized by Etigra, LLC for Dithiopyr data requirements		Knox Fertilizer Co Inc.	PAY	
Dithiopyr Generic Data Requirements	Cite-All Method utilized by Etigra, LLC for Dithiopyr data requirements		United Industries Corp.	PAY	
Dithiopyr Generic Data Requirements	Cite-All Method utilized by Etigra, LLC for Dithiopyr data requirements		The Andersons Lawn Fertilizer Division, Inc.	PAY	
Dithiopyr Generic Data Requirements	Cite-All Method utilized by Etigra, LLC for Dithiopyr data requirements		Chemisco	PAY	
Dithiopyr Generic Data Requirements	Cite-All Method utilized by Etigra, LLC for Dithiopyr data requirements		Agrilience, LLC	PAY	
Dithiopyr Generic Data Requirements	Cite-All Method utilized by Etigra, LLC for Dithiopyr data requirements		Lesco Inc.	PAY	
Dithiopyr Generic Data Requirements	Cite-All Method utilized by Etigra, LLC for Dithiopyr data requirements		Loveland Products, Inc.	PAY	
Signature 			Name and Title Janelle Kay, Consultant		Date 8/10/06

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WASHINGTON, D.C. 20460

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Guideline Reference Number	Guideline Study Name	MRID Number	Submitter	Status	Note
Dithiopyr Generic Data Requirements	Cite-All Method utilized by Etigra, LLC for Dithiopyr data requirements		Dow AgroSciences LLC	PAY	
Dithiopyr Generic Data Requirements	Cite-All Method utilized by Etigra, LLC for Dithiopyr data requirements		Spray Drift Task Force	PAY	
Dithiopyr Generic Data Requirements	Cite-All Method utilized by Etigra, LLC for Dithiopyr data requirements		Outdoor Residential Exposure Task Force, LLC	PAY	
Signature 			Name and Title Janelle Kay, Consultant		Date 8/14/06

Endnotes for Data Matrix for Dithiopyr Technical

- ¹ **830.1650** – Per OPPTS 830.1000, these data are not required for the registration of a technical grade active ingredient. See 830.1620 for production process information.
- ² **830.6314, 830.6315, 830.6316, 830.6317, 830.6319, 830.6320, 830.6321, 830.7100** – Per OPPTS 830.1000, these data are not required for the registration of a technical grade active ingredient.
- ³ **830.7220** – Per OPPTS 830.1000, these data are not required for the registration of Dithiopyr Technical because this product is a solid. Please refer to OPPTS 830.7200.
- ⁴ **830.7350** - Waiver request. Etigra, LLC is seeking a waiver for the vapor pressure requirement on the basis that data are not required for materials that are a solid at room temperature and have a low vapor pressure.

PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

Phone: 253-853-7369
Fax: 253-853-5516
www.PyxisRC.com

August 7, 2006

VIA CERTIFIED MAIL. RETURN RECEIPT REQUESTED
7005 3110 0003 9137 7636

Bayer CropScience LP
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

RE: Notice of Intent to Apply for Registration

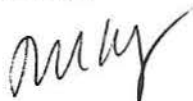
Dear Sir/Madam:

Pursuant to 40 CFR Parts 152.86(b)(2)(i) and 152.93(b)(2)(i), please let this letter serve as a notice of Etigra LLC's intent to apply for registration of a technical product containing dithiopyr as the active ingredient. The proposed product name is "Dithiopyr Technical".

In EPA's March 31, 2006 Listing of Pesticide Data Submitters, your company is included as one of those who have data on file at the Agency for dithiopyr. As such, Etigra LLC is providing your company of its notice of intent to apply for registration. *This letter is not an offer to pay compensation under FIFRA § 3(c)(1)(F) or FIFRA § 3(c)(2)(B).* As directed by EPA, prior to EPA's approval of Etigra LLC's registration, Etigra LLC will provide the appropriate party(ies) an offer to pay compensation to the extent required by FIFRA § 3(c)(1)(F).

Thank you for your cooperation.

Sincerely,



Janelle Kay
Agent for Etigra LLC

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4110 136th St. NW
Gig Harbor, WA 98332

Phone: 253-853-7369
Fax: 253-853-5516
www.PyxisRC.com

August 7, 2006

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7005 3110 0003 9137 1643

Lebanon Seaboard Corporation
1600 East Cumberland Street
Lebanon, PA 17042

RE: Notice of Intent to Apply for Registration

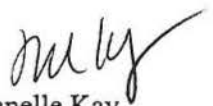
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Sincerely,


Janelle Kay
Agent for Etigra LLC

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Fax: 253-853-5516
www.PyxisRC.com

August 7, 2006

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7005 3110 0003 9137 1650

PBI/Gordon Corp.
P.O. Box 014090
Kansas City, MO 64101

RE: Notice of Intent to Apply for Registration

Dear Sir/Madam:

Pursuant to 40 CFR Parts 152.86(b)(2)(i) and 152.93(b)(2)(i), please let this letter serve as a notice of Etigra LLC's intent to apply for registration of a technical product containing dithiopyr as the active ingredient. The proposed product name is "Dithiopyr Technical".

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Sincerely,


Janelle Kay
Agent for Etigra LLC

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4110 136th St. NW
Gig Harbor, WA 98332

Phone: 253-853-7369
Fax: 253-853-5516
www.PyxisRC.com

August 7, 2006

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7005 3110 0003 9137 1667

Southern States Cooperative, Inc.
6606 West Broad Street
Richmond, VA 23230

RE: Notice of Intent to Apply for Registration

Dear Sir/Madam:

Pursuant to 40 CFR Parts 152.86(b)(2)(i) and 152.93(b)(2)(i), please let this letter serve as a notice of Etigra LLC's intent to apply for registration of a technical product containing dithiopyr as the active ingredient. The proposed product name is "Dithiopyr Technical".

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Thank you for your cooperation.

Sincerely,



Janelle Kay
Agent for Etigra LLC

PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

Phone: 253-853-7369
Fax: 253-853-5516
www.PyxisRC.com

August 7, 2006

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7005 3110 0003 9137 1674

Knox Fertilizer Co. Inc.
P.O. Box 248
Knox, IN 46534

RE: Notice of Intent to Apply for Registration


Dear Sir/Madam:

Pursuant to 40 CFR Parts 152.86(b)(2)(i) and 152.93(b)(2)(i), please let this letter serve as a notice of Etigra LLC's intent to apply for registration of a technical product containing dithiopyr as the active ingredient. The proposed product name is "Dithiopyr Technical".

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August 7, 2006

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7005 3110 0003 9137 1681

United Industries Corp.
D/B/A Sylorr Plant Corp.
P.O. Box 142642
St. Louis, MO 63114

RE: Notice of Intent to Apply for Registration

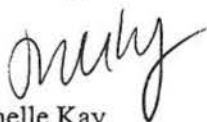
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August 7, 2006

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7005 3110 0003 9137 1698

The Andersons Lawn Fertilizer Division, Inc.
D/B/A Free Flow Fertilizer
P.O. Box 119
Maumee, OH

RE: Notice of Intent to Apply for Registration

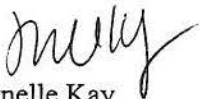
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Janelle Kay
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www.PyxisRC.com

August 7, 2006

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7005 3110 0003 9137 1704

Chemsico
Div. of United Industries Corp
P.O. Box 142642
St. Louis, MO 63114

RE: Notice of Intent to Apply for Registration

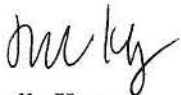
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August 7, 2006

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7005 3110 0003 9137 1711

Agriliance LLC
P.O. Box 64089
St. Paul, MN 55164

RE: Notice of Intent to Apply for Registration

Dear Sir/Madam:

Pursuant to 40 CFR Parts 152.86(b)(2)(i) and 152.93(b)(2)(i), please let this letter serve as a notice of Etigra LLC's intent to apply for registration of a technical product containing dithiopyr as the active ingredient. The proposed product name is "Dithiopyr Technical".

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August 7, 2006

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7005 3110 0003 9137 1728

Lesco, Inc.
1301 East 9th Street, Suite 1300
Cleveland, OH 44114

RE: Notice of Intent to Apply for Registration

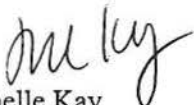
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www.PyxisRC.com

August 7, 2006

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7005 3110 0003 9137 1735

Loveland Products, Inc.
P.O. Box 1286
Greeley, CO 80632

RE: Notice of Intent to Apply for Registration

Dear Sir/Madam:

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August 7, 2006

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7005 3110 0003 9137 1742

Dow Agrosiences LLC
9330 Zionsville RD 308/2E225
Indianapolis, IN 46268

RE: Notice of Intent to Apply for Registration

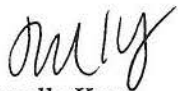
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August 7, 2006

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7005 3110 0003 9137 1759

Spray Drift Task Force
c/o McKenna & Cuneo LLP
1900 K Street, NW
Washington, DC 20006

RE: Notice of Intent to Apply for Registration


Dear Sir/Madam:

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August 7, 2006

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7006 0100 0004 4381 1456

Outdoor Residential Exposure Task Force LLC
c/o Beveridge & Diamond, P.C.
1350 I Street, N.W.
Washington, DC 20005

RE: Notice of Intent to Apply for Registration

Dear Sir/Madam:

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Sincerely,



Janelle Kay
Agent for Etigra LLC



ETIGRA™

Etigra LLC
25 Greystone Manor
Lewes, DE 19958

October 15, 2004

To Whom It May Concern:

RE: Letter of Authorization

Dear Sir or Madam:

Please let this letter serve to confirm that Pyxis Regulatory Consulting, Inc. is authorized to act as agent for Etigra, LLC (EPA Company Number *pending*), before the U.S. Environmental Protection Agency and state governmental agencies in all matters regarding our pesticide registrations pursuant to the Federal Insecticide, Fungicide and Rodenticide Act ("FIFRA"), 7 U.S.C. § 136 et seq. and state law.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Fred Mills
Counsel

cc: Pyxis Regulatory Consulting, Inc.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 13th day of October, 2004, by Fred Mills, Esquire, who is personally known to me or who produced _____ as identification.

Signature of Notary Public CYNTHIA SCHMIOT
Notary Public - State of Florida
My Commission Expires Apr 23, 2008
Commission # DD 094081
Bonded By National Notary Assn.

Print Name: _____

Commission Number: _____

NOTARY PUBLIC, STATE OF FLORIDA

